STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-15 HSBC BANK USA, N.A., AS TRUSTEE ON BEHALF OF ACE SECURITIES CORP. HOME EQUITY LOAN TRUST AND FOR THE REGISTERED HOLDERS OF ACE SECURITIES CORP. HOME EQUITY LOAN TRUST, SERIES 2007-ASAP2, ASSET BACKED PASS-THROUGH CERTIFICATES,

www.plaintalk.net

Plaintiff, WENDY STUBBS; CARMEN JOHNSON; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; AND ANY PERSON IN POSSESSION, Defendants.
NOTICE OF

REAL ESTATE SALE Judgment in the amount of \$157,766.64 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 July 30, 2009, for the foreclosure of a real

estate mortgage, Notice is hereby given pursuant Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated March 1, 2007, which Wendy Stubbs and Carmen Johnson, Mortgagors, executed and delivered to Mortgage Electric Registration Systems, Inc., Mortgagee: Lot 9-B, Block 1, Valley View

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 6th day of March, 2007, in Book 125, Page 00713 which mortgage was assigned to HSBC Bank USA, N.A., as Trustee on behalf of ACE Securities Corp. Home Equity Loan Trust and for the registered holders of ACE Securities Corp. Home Equity Loan Trust, Series 2007-ASAP2, Asset Backed Pass-Through Certificates by an Assignment of Mortgage recorded January 14, 2009, in Book 128 of Mtg, on Page 726, in order to realize the amount of \$141,500.00, as of March 1, 2007, plus interest accruing thereafter on said amount at the rate of 6.88% 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 restric-tions 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 September 16, 2009, at 10:00 A.M. (CT).

Dated August 7, 2009. **Andrew M. Howe** Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW Sandra K. Kuntz, SD ID #03463 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Publish: August 28 & September 4. 2009

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 07-222
WELLS FARGO BANK, N.A.,
Plaintiff,

nated publishing cost per circulated copy: \$.01

Published twice at

approximate cost of \$53.62

MICK ODENS; ELERI ODENS; INVESTORS CAPITAL GROUP, LLC; CARL A. MCPHERSON; AND ANY PERSON IN POSSESSION, Defendants.
NOTICE OF

REAL ESTATE SALE Judgment in the amount of \$295,226.75 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 July 30

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 20, 2005, which Mick L. Odens and Eleri A. Odens, Mortgagors, executed and delivered to Wells Fargo

Bank, N.A., Mortgagee:
LOT 6, BLOCK 3, SMITH-QUAM ADDITION TO THE CITY OF VERMILLION, CLAY COUN-TY. SOUTH DAKOTA, aka 433 Oakmont Drive, Vermillion, SD 57069-3468.

and recorded in the office of the Reg ister of Deeds of Clay County, South Dakota, on the 23rd day of May, 2005, in Book 122 of Mortgages, Page 565, in order to realize the amount of \$243,000.00, as of May 20, 2005, plus interest accruing thereafter on said amount at the rate of 8.95% per year as the starting rate of an adjustable rate note, 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 Clav 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 September 23, 2009, at 10:00 A.M. (CT).

Dated August 10, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW Glen R. Bruhschwein, SD ID 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff

Publish: September 4 & 11, Published twice at the total approximate cost of \$43.49 Estimated publishing cost per circulated copy: \$.01

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT IN THE MATTER OF THE ESTATE OF CLARA BERG,

NOTICE TO CREDITORS Notice is given that on August 11, 2009, Karen Berg, whose address is 120 N. Cottonwood #7, Woodland, California 95695, was appointed as personal representative of the estate

of Clara Berg.. Creditors of decedent must file their claims within four (4) months after the date of the first publica-tion 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 repre-Dated this 12th day of August,

2009. Steven L. Pier KENNEDY PIER & KNOFF LLP 322 Walnut Street - PO Box 37 Yankton, SD 57078 (605) 665-3000

Attorney for Personal Representative ROBIN IVERSON Clay County Clerk of Courts PO Box 377 Vermillion, SD 57069 KAREN BERG 120 N Cottonwood #7 Woodland, CA 95695 (530) 662-3760 Personal Representative Publish: August 21, 28 & Sept

Published three weeks at the total approximate cost of \$38.74 imated publishing cost per circulated copy: \$.01

> NOTICE OF DRAINAGE PERMIT HEARING

Notice is hereby given that in accordance with the Clay County Drainage Permit Ordinance, Sections 106 and 107, the Clay County Commissioners sitting as the Clay County Board of Resolutions will conduct a hearing on drainage permit application for drainage into County ROW, in the Commissioners room at the Clay County Courthouse for the following applicant at 10:30 a.m. ntember 8 2009

09-11 Tom Ostrem, 45890 308th St., Vermillion, S.D. 57069 For Proposed drainage (tile) in the W 1/2 of the NW1/4 of Section 33, Township 94 North, (Pleasant Valley Twp) Range 52 West, of the 5th p.m. to drain into Spirit Mound

Creek.

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 illion, SD 57069

Ruth A. Bremer **Clay County Auditor** Publish: August 28 & September 4, 2009 mate cost of \$20.25 Estimated publishing cost per circulated copy: \$.01

NOTICE OF HEARING

Notice is hereby given that the Clay County Commissioners acting as the Board of Adjustments will meet at 10:00 A.M. on Tuesday, September 8, 2009 in the Commissioners' Meeting Room of the Clay County Courthouse, Vermillion, SD at which time said Board shall hear, consider and act

upon the following:
1. Variance Hearing to consider the building of a storage shed with a 33' variance for Mark Girard, 46140 310 Street, Vermillion, SD, Legal Desc: W1/2 SW1/4 3-93-52, Spirit Mound Twp, Clay County, South Dakota.

All interested persons are encouraged to attend this public hearing. Those interested persons not able to attend are invited and encouraged to send written comments before the 6th day of September 2009 to the Clay County Auditor, 211 W. Main Street, Suite 200, Vermillion, SD

Ruth A. Bremer Auditor Clay County Publish: August 28 & September 4, 2009 Published twice at the approximate cost of \$18.47

Estimated publishing cost per circulated copy: \$.005

NOTICE TO BIDDERS Notice is hereby given that the Governing Body of the City of Vermillion, South Dakota will meet at the City Hall meeting

room of said City on the **8th day of** September, 2009, at 11:00 a.m. at which time bids and proposals will be received, publicly opened and read at that time. The bids will be acted upon by the City Council at City Hall located at 25 Center Street on the 8th day of September, 2009, at 7:00 p.m. The equipment required is as follows:

Padmount Three Phase Pac Distribution Transformers Copies of the specifications may be obtained at the office of the Utilities Engineer, 25 Center Street, Vermillion, South Dakota,

Bid security is required according to state law and the bid specifi-

Payment for the equipment herein provided for will be in cash. The City of Vermillion reserves the right to reject any or all bids and to waive any irregularities therein.

Dated at Vermillion, South Dakota this 24th day of August, CITY OF VERMILLION

Harold Holoch, Utilities Engineer Publish: August 28 & September 4, 2009 mate cost of \$22.64

Estimated publishing cost per circulated copy: \$.01

NOTICE OF PUBLIC

HEARING
Pursuant to SDCL 11-2-18, notice is hereby given that the Clay County Planning Commission will hold a public hearing on September 14, 2009, regarding amendment of the 2001-2021 Clay
County Comprehensive Plan.
Specifically, the Planning
Commission will be considering a
recommendation of adoption to the County Commission for amendments to the following chapters and maps: Introduction, Schools, Parks and Open Spaces, Current Land Use Map, Future Land Use Map, Planning Strategy and Plan

Implementation. A copy of the proposed amendments to the 2001-2021 Clay County Comprehensive Plan is available for public review at the Clay County Courthouse in the County Auditor's Office during reg-

ular business hours. The Planning Commission public hearing will be held at the following time, date, and location:

September 14, 2009 Clay County Courthouse The purpose of this hearing is to explain the proposed amendments to interested persons, to answer questions regarding these items and to hear public comment on these items. The Planning Commission invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments to the Clay County Zoning Administrator, 211 W. Main Street, Suite 203, Vermillion, SD

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Clay County Zoning Administrator at (605) 677-7145. Anyone who is deaf, hard-of-hearing or speech disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the County to make reasonable arrangements to ensure accessibility to this hearing.

Ray Hofman

Clay County Zoning

Ådministrator Publish: August 28 & September 4, 2009 Published twice at the approximate cost of 38.12 Estimated publishing cost per circulated copy: \$.01

NOTICE OF APPLICATION NO. 7152-3 to Appropriate Water

Notice is given that Bradley W Dirksen, 37376 Hwy 3, LeMars IA 51031 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second from one well to be completed into the Missouri:Elk Point Aquifer (approximately 125 feet deep) located in the center of the NE 1/4Section 9 to irrigate 145 acres located in the NE 1/4 Section 9; all in T93N-R53W. The acreage may also be irrigated from the existing well completed into the Missouri Elk Point Aquifer (125 feet deep) authorized by Water Permit No. 5658A-3 located in the center of the SE 1/4 Section 9-T93N-R53W. Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. APPROVAL of Application No. 7152-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recomact on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the rec-

consider this application. Notice of the hearing will be given to the applicant and any person filing a Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A

ommendation is filed, then a hearing will be scheduled and the

Water Management Board will

petition filed by either an interested person or the applicant must be filed by September 21, 2009. The petition may be informal but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the peti-tioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this applica-tion. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Publish: September 4 & 11, Published twice at the total

approximate cost of \$45.88 Estimated publishing cost per circulated copy: \$.01

NOTICE OF APPLICATION

NO. 7150-3 to Appropriate Water

Notice is given that Tim Ostrem, 45924 300th St., Centerville SD 57014 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second from one well to be comoleted into the Lower Vermillion:Missouri or the Upper Vermillion Missouri Aquifer (approximately 180 feet deep) located in the center of SE 1/4 Section 19 to irrigate 300 acres located in the SE 1/4, NW 1/4, N 1/2 SW 1/4 Section 19; all in T95N-

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7150-3 because 1) unappropriated water is available, 2 existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommenda-tion. If a petition opposing the application or contesting the rec-ommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a

petition. Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 21, 2009.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and atural Resources. Publish: September 4 & 11,

Published twice at the total approximate cost of \$44.08 Estimated publishing cost per circulated copy: \$.01

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CINC. Civil No. 09-97 WELLS FARGO BANK, N.A., Plaintiff,

MATTHEW KASTENGREN; OLIVIA KASTENGREN; WASHINGTON MUTUAL BANK; STATE OF SOUTH DAKOTA; AND ANY PERSON IN POSSESSION,

Defendants.
NOTICE OF REAL ESTATE SALE Judgment in the amount of \$132,056.89 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 prop-erty described in the Mortgage dated December 27, 2005, which Matthew Kastengren and Olivia L. Kasten-gren, Mortgagors, executed and delivered to First Dakota National

Bank, Mortgagee: Lots 19 & 20, Block 3, Valley View Addition to the City of Ver-million, Clay County, South Dakota. and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 29th day of December, 2005, in Book 123 Mtgs., Page 732. Said mortgage was assigned to Washington Mutual Bank, FA, by Assignment of Mortgage recorded December 29, 2005, in Book 123 Mtgs, Page 733. Said mortgage was further assigned to Wells Fargo Bank, NA, by Assignment of Mortgage recorded April 9, 2007, in Book 125 Mtgs., Page 890, in order to real-ize the amount of \$123,500.00, as of December 27, 2005, plus interest accruing thereafter on said amount at the rate of 6.25% per year together with the costs and expenses of sale, will be sold subject to redemp tion 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 September 23, 2009, at 10:00 A.M. (CT). Dated July 27, 2009.

Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW

Glen R. Bruhschwein, SD ID #03080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Publish: September 4 & 11.

Published twice at the total approximate cost of \$47.66 Estimated publishing cost per circulated copy: \$.01

INVITATION FOR BIDS USD Wellness Center - Bid Package 1 Earthwork, Site **Utilities, and Soil Correction** Sealed bids will be received by the State Engineer and the Henry Carlson Company (Construction Manager) on behalf of the Board of Regents at the Office of The State Engineer, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3182, until 1:00 PM CT, Thursday, September 17, 2009, for bid package 1 Earthwork, Site Utilities, and Soil Correction for the Wellness Center, University of South Dakota, Vermillion, South Dakota. Subsequent bid packages will be issued for the remaining scopes of work.

Contractors/Subcontractors/ Suppliers Please Note: Bid forms, bidder's checklist, and project schedule shall be issued via adden-

Wellness Center Substantial Completion - November 15, 2010

Plans and Specifications may be obtained by bidders at the Henry Carlson Company's website, http://henrycarlson.com/jobs_t o_bid.php. Bid questions shall be forwarded to Alan Breck, Senior Estimator, Henry Carlson Company 605-334-1920 or abreck@henrycarlson.com.Copi es are on file for viewing purposes at the Office of the State Engineer, Joe Foss Building, 523 East Capitol Avenue, Pierre, SD 57501-3182. Anyone requesting, reviewing, or coping plans and specifica tions for this project (such individ-ual(s) is hereinafter referred to as "bidder") agrees that they are doing so for the sole purpose of submitting a bid on this project. In consideration of the State of South Dakota providing such plans and specifications for the purpose of preparing a bid, bidder further

A. The plans and specifications are the sole property of the State;
B. Any copies of the plans and specifications obtained directly from the State will be returned to the State immediately after the State provides notice that the bidder will not be awarded the contract, or thirty (30) days after the bid opening for the project, which ever occurs first;

C. Any copies of the plans and specifications made by the bidder will be destroyed immediately after the State provides notice that the bidder will not be awarded the contract, or thirty (30) days after the bid opening for the project, which ever occurs first;

D. If bidder does not submit a bid, bidder will fulfill the requirements of B and C above on or before the date of the bid opening;
E. The plans and specifications are to be used only with the respect of this project and are not to be

used for any other project or purpose other than preparing a bid for

this project;
F. The plans and specifications will not be disseminated to any person or entity for the purpose other than obtaining pricing information without the express written approval of the State;
G. All information contained in the plans and specifications is confidential: and

H. Should the bidder disseminate the plans and specifications to an individual or entity for purposes of obtaining pricing information, the bidder will require that individual or entity to adhere to the terms set forth herein. The bidder, however, assumes no liability for the misuse of the plans and specifications by such a third party or such third party's failure to comply with the provisions contained here-in. Should bidder be awarded a contract for construction of the project, bidder does not need to return or destroy plans and specifications until completion of the

SD Board of Regents reserves the right to reject any or all bids and to waive any irregularities Publish: September 4 & 11,

Published twice at the total approximate cost of \$67.32 Estimated publishing cost per circulated copy: \$.02

Unapproved Minutes Council Special Session August 24, 2009 Monday 5:45 p.m.

The special session of the City Council, City of Vermillion, South Dakota was called to order on Monday, August 24, 2009 at 5:45 p.m. by Mayor Christopherson at the City Hall large meeting room. 1. Roll Call

Present: Edelen, French, Hofman, Powell, Ward, Willson, Mayor Christopherson Absent: Meins, Osborne

Session with Planning Joint Vermillion Commission - Work session to develop Comprehensive Plan

goals.
Toby Brown, Planner with SECOĞ, stated that he would like to review the planning policy framework handed out at the last meeting to provide the Planning Commission and City staff some vision from the joint group to work on the development of the compre-hensive plan. Toby reviewed the planning policy framework with

3. Bid Opening Airport Fuel Jose Dominguez, City Engineer, read the quotes received and recommended the low quote of Gerstner Oil of \$3.4194 per gallon.
Gerstner Oil \$3.4194, Stern Oil

276-09 Alderman French moved approval of the low quote of Gerstner Oil of \$3.4194 per gallon for airport fuel. Alderman Ward seconded the motion. Motion carried 7 to 0. Mayor Christopherson declared the motion adopted.

4. Consensus Agenda Set a bid opening date of September 8, 2009 for electric transformers.

277-09 Alderman French moved approval of the consensus agenda. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Christopherson declared the motion adopted 5. Adjourn

Alderman Hofman moved to adjourn the Council Meeting at 8:08 p.m. Alderman Edelen seconded the motion. Motion carried 7 to 0. Mayor Christopherson declared the motion adopted.

Dated at Vermillion, South

Dakota this 24th day of August, THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

Dan Christopherson, Mayor

ATTEST: Michael D. Carlson, Finance Officer Publish: September 4, 2009 Published once at the approximate cost of \$22.94 Estimated publishing cost per circulated copy: \$.01

August 25, 2009 Commissioner Minutes The Board of County Commissioners met in regular session Tuesday, August 25, 2009 at 9:00 a.m. Members present: Wilson, Powell, Passick, Sommervold and Kephart. Passick moved, seconded by

Kephart and carried to approve the agenda as presented.

Minutes of the August 11th meeting were read and approved with a motion by Sommervold, sec-

onded by Wilson and carried. Layne Stewart/Emergency Management Director met with the Board to discuss travel. Sommervold moved, seconded by Passick and carried to approve travel expenses paid for Emergency Mgmt Director attend Annual Conference (SLA requirements) September 15-16-17 in Brookings and Emerg. Mgmt. 101 (as a presenter) September 8-10 in Rapid City (state paying

expenses). Rod Polley/Highway Superintendent met with the ard to discuss highway matters. Kephart moved, seconded by Wilson and carried to approve travel expenses paid for Hwy Secretary to attend D-Ware Meeting in Rapid City Oct. 8th and

Driveway Application for Rian Beeson for farm entrance located in Section 26-95-51(Glenwood Twp) 302 St East of Greenfield Road. Wilson moved, seconded by Passick and carried to approve and authorize the Chairman to sign said Application, all expenses paid by landowner.

Driveway Application for Pearl (Dean) Lindstrom for field entrance (25' addition to existing driveway) located in Section 16-94-51(Garfield Twp) 466 Ave. Kephart moved, seconded by Wilson and carried to approve and authorize the Chairman to sign Application, all expenses paid by

ROW Application was submitted by Clay Union Electric for cable installation on 459th, Frog Creek Road in Section 5-93-52. Passick moved, seconded by Sommervold and carried to author ize the Chairman to sign said

application. Contractors Application for

finale payment on the 302 St. Project was presented for \$29,281.81. Pete Johnson Johnson engineering recommend-ed the amount be paid as they have inspected the road and felt it is in satisfactory condition according to specs. Sommervold moved, seconded by Kephart and carried to authorize said payment as recom-mended by the Hwy Supt. Rod Polley and Pete Johnson /Johnson

Engineering, Inc.
Sommervold moved, seconded by Wilson and carried to authorize the Chairman to sign Change Order as submitted on 302 St Project, to show contract quantities are revised to those actually

installed. Gas quotes were submitted for gasoline. Sommervold moved seconded by Kephart and carried to accept low quote from Jerry's Service, Hardington Ne. for \$2.222

Sommervold moved, seconded by Wilson and carried, to reconsider the motion from the August 11th meeting, for authorizing the Chairman to sign a letter to Riverside Twp requesting they vacate a portion of 461 Ave in their

township.
Wilson moved, seconded by Sommervold and carried to rescind motion authorizing the Chairman to sign a letter to Riverside Twp requesting they vacate a portion of 461 Ave in their

township Teddi Gertsma/States Attorney met with the Board to discuss the legal issues involved with vacating 461 Ave. in Riverside Twp. It was recommended that no action be taken at this time until easements and rights of way are reviewed involving the area in question.
Sommervold moved, seconded by Passick and carried to pass and

adopt the following Resolution approving the transfer of funds: RESOLUTION # 09-20 FUND TRANSFER BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund Restricted (10100) in the amount of \$500,000 to Highway Fund (20100) as reserved for the 302 Street Project.

Motion by Commissioner seconded Vote of the Board: Sommervold, Kephart Powell Passick Motion carried.

Dated this 25th day of August **Board of County** Commissioner Clay County, South Dakota

Leo F. Powell, Chairman ATTEST: Ruth A. Bremer, **County Auditor**

There were no visitors to be Sommervold moved, seconded Kephart and carried to set Sep.

8th for the following Drainage rmit Hearing.
NOTICE OF DRAINAGE PERMIT HEARING Notice is hereby given that in accordance with the Clay County Drainage Permit Ordinance, Sections 106 and 107, the Clay County Commissioners sitting as the Clay County Board of

on drainage permit application for drainage into County ROW, in the Commissioners room at the Clay County Courthouse for the following applicant at 10:30 a.m. September 8, 2009. 09-11 Tom Ostrem, 45890 308th St. Vermillion, S.D. 57069 For Proposed drainage (tile) in the W 1/2 of the NW1/4 of Section 33,

Resolutions will conduct a hearing

Township 94 North, (Pleasant Valley Twp) Range 52 West, of the 5th p.m. to drain into Spirit Mound All interested persons are encouraged to attend the public hearing. Those interested persons not able to attend are invited and encouraged to send written com-

ments prior to the hearing, to:

Clay County Commissioner 211 W. Main Street. Suite 200 Vermillion, SD 57069 Ruth A. Bremer Clay County Auditor Wilson moved, seconded by Sommervold and carried to approve travel expenses paid for Elected Officials, Welfare Director and Hwy Superintendent to attend Annual Convention in Watertown September 21-24 and to District

Meeting in Yankton September At 9:45 a.m. the Board convened as Board of Resolutions to conduct the following public Drainage Hearings: 09-07 Bottolfson Bros, 1834

Constance Dr. Vermillion, SD For Proposed drainage (tile) in the SW1/4 of the NE1/4 of Section 18, Township 92 North (Norway Twp) Range 52 West, of the 5th p.m. to drain into Yankton Clay Ditch. 09-08 Bottolfson Bros, 1834 Constance Dr. Vermillion, SD

For Proposed drainage (tile) in the S1/4 of the SW1/4 of Section 8, Township 92 North (Norway Twp) Range 52 West, of the 5th p.m. to drain into Yankton Clay Ditch. Those attending: Jay Bottolfson, applicant. No written comments were received and noone attending was in opposition to the drainage permit. Sommervold moved, seconded by Passick and

carried to approve Drainage Permit #09-07 & 09-08. At 10:00 a.m. the Board heard the following drainage permit applications: 09-09 Don O'Connor, 46874 311

St, Burbank, SD 57004 For Proposed drainage (tile) in the NE1/4 and the N1/2 of the NW1/4 of Section 14, Township 93 North (Prairie Center Twp) Range 51 West, of the 5th p.m. to drain into Greenfield Road.

09-10 Don O'Connor, 46874 311 St, Burbank, SD 57004 For Proposed drainage (tile) in the W1/2 of the SE1/4 of Section 11, Township 93 North (Prairie Center Twp) Range 51 West, of the 5th p.m. to drain into 311 Street ditch.
Those attending: Don O'Connor, Applicant, Scott Henderson, John Davidson, Jeff Olson, Kelly O'Connor, Reid Jensen, Mike Hauck, Erlin Olson, Leroy Larson, Mike O'Connor and

Keith Hybertson. Written comments were received from John Davidson, and Mark Wetmore. Those attending had concerns with more water

being dumped on them but not Turn to PUBLIC NOTICES on Page 10