

RESOLUTION 26-014

A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY TO BROOKINGS REGIONAL HUMANE SOCIETY FOR THE PURPOSE OF PUBLIC, CHARITABLE, OR HUMANITARIAN PURPOSES.

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

WHEREAS, the Brookings Regional Humane Society desires to acquire the following described property owned by the City of Brookings for the purpose of constructing a new animal welfare facility to serve the community:

Approximately 2.5 acres, generally described as:

LOT 3B, BLOCK 2 In the TELCAMP INDUSTRIAL ADDITION to the City of Brookings, Brookings County, South Dakota, thereof, and

WHEREAS, the requested property consists of approximately 2.5 acres of City-owned land located on Prince Drive, generally described as the southern portion of the City's approximately five-acre parcel zoned I-1, with the final legal description to be determined by survey; and

WHEREAS, the Brookings Regional Humane Society is a nonprofit corporation organized for public, charitable, or humanitarian purposes within the City of Brookings, South Dakota; and

WHEREAS, SDCL § 6-13-1 authorizes municipalities to declare municipal property surplus property; and

WHEREAS, South Dakota Codified Law § 6-5-2 authorizes municipalities to convey surplus real property to nonprofit organizations for public, charitable, or humanitarian purposes; and

WHEREAS, SDCL § 6-13-2 requires municipalities to obtain an appraisal of surplus property, which may be done by appointing three real property owners of the City to appraise the value of such property; and WHEREAS, it is in the best interests of the City of Brookings to support the continued provision of animal welfare services through the conveyance of said property at no cost, subject to appropriate conditions to protect the City's interests;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Brookings, South Dakota, as follows:

- A. That the City of Brookings determines that the above-described property is no longer necessary, useful, or suitable for the purpose for which it was acquired, and thus the City determines this to be surplus property; and
- B. That the City of Brookings convey title, at no cost, to approximately 2.5 acres of City-owned property on Prince Drive to the Brookings Regional Humane Society for public, charitable, or humanitarian purposes, subject to an option to purchase allowing the City to purchase the property from the Brookings Regional Humane

Society for \$1.00 if construction of the facility is not completed within ten (10) years of the execution of the conveyance agreement; and

- C. That the City of Brookings appoints Wade Price of Best Choice Real Estate, Kelan Bludorn of Best Choice Real Estate, and Ryan Krogman of Krogman & Company Real Estate as the three real property owners to appraise the value of the above-described property, and to file a report of the appraisal with the Clerk.
- D. That the Mayor, City Clerk, City Manager, and City Attorney are authorized to execute all documents and contracts necessary to effectuate the conveyance in accordance with this Resolution.

Passed and Approved this 27th day of January, 2026.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk