



City Council

Agenda Item

Subject: Council Approval of Resolution No. 25-17, Approving the Plat of Stony Point Third Addition

Meeting: City Council - Jul 21 2025

From: Alan Stager, City Manager

BACKGROUND INFORMATION:

Background :

Robert Drake is the Acting Agent of Stony Point Investments, LLP which is the owner of the property proposed to be platted as Stony Point Third Addition. The private street of Stony Point Trail which is being memorialized with this plat along with a private street maintenance agreement were approved by the Planning Commission on June 18, 2020. The construction plans were approved by staff later in 2020 for the installation of Stony Point Trail and related infrastructure to serve *The Point Condos* that was granted a building permit in December 2021. A one-year extension was granted in April 2024 by City Council as the permit expired after three years. The building permit items have been completed and the final certificate of occupancy can be issued after the private street is memorialized, which this action would accomplish, along with a BMP maintenance agreement for the detention pond and as-built drawings are submitted. The street and infrastructure have been approved by the Engineering Division.

The remaining areas adjacent to Stony Point Trail that have not been platted are considered subdivision exempt since the private street has already been approved by the Planning Commission via preliminary plan, meaning a concept plan is not required prior to the Plat of Stony Point Third Addition. There will be five lots established with this plat that all meet the minimum lot size requirements of Chapter 21.29 C-L Lake Commercial District (closed) and abut the private street of Stony Point Trail.

The Planning Commission recommended approval to the City Council at the July 10th meeting (6-0).

FINANCIAL CONSIDERATIONS:

NA

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of the resolution through the following motion:

I move to approve Resolution No. 25-17, Approving the Plat of Stony Point Third Addition

ATTACHMENT(S):

[Vicinity Map](#)

[Plat of Stony Point Third Addition](#)

[Private Road Agreement](#)

[Planning Commission Resolution](#)

[Resolution No. 25-17](#)

PLAT OF STONY POINT THIRD ADDITION TO THE MUNICIPALITY OF WATERTOWN IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.

BY GRAPHIC PLOTTING ONLY, THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X AND AE OF THE NATIONAL FLOOD INSURANCE PROGRAM, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM), CODINGTON COUNTY / CITY OF WATERTOWN, MAP NO. 46029C0315D REVISED JANUARY 16, 2009.

June 22, 2025
Scale: 1"=200'

- Monument Recovered
- 1/2"x18" Rebar w/ Plastic Cap Stamped #11310 Set

NOTE: Bearings are based on UTM Zone 14 North - NAD83 coordinate zone. Ground Distances shown.

NOTE: This plat contains 26.31± total acres.



LAKE KAMPESKA



Prepared By
AASON ENGINEERING COMPANY, INC.

1022 SIXTH STREET S.E.
WATERTOWN, SD
Telephone 605-882-2371

NOTE: This plat and the survey on which it is based was performed without the benefit of a title report and is subject to any encumbrances whether specified hereon or of record, if any.

Registered Land Surveyor

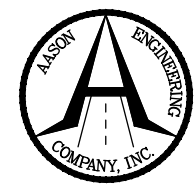
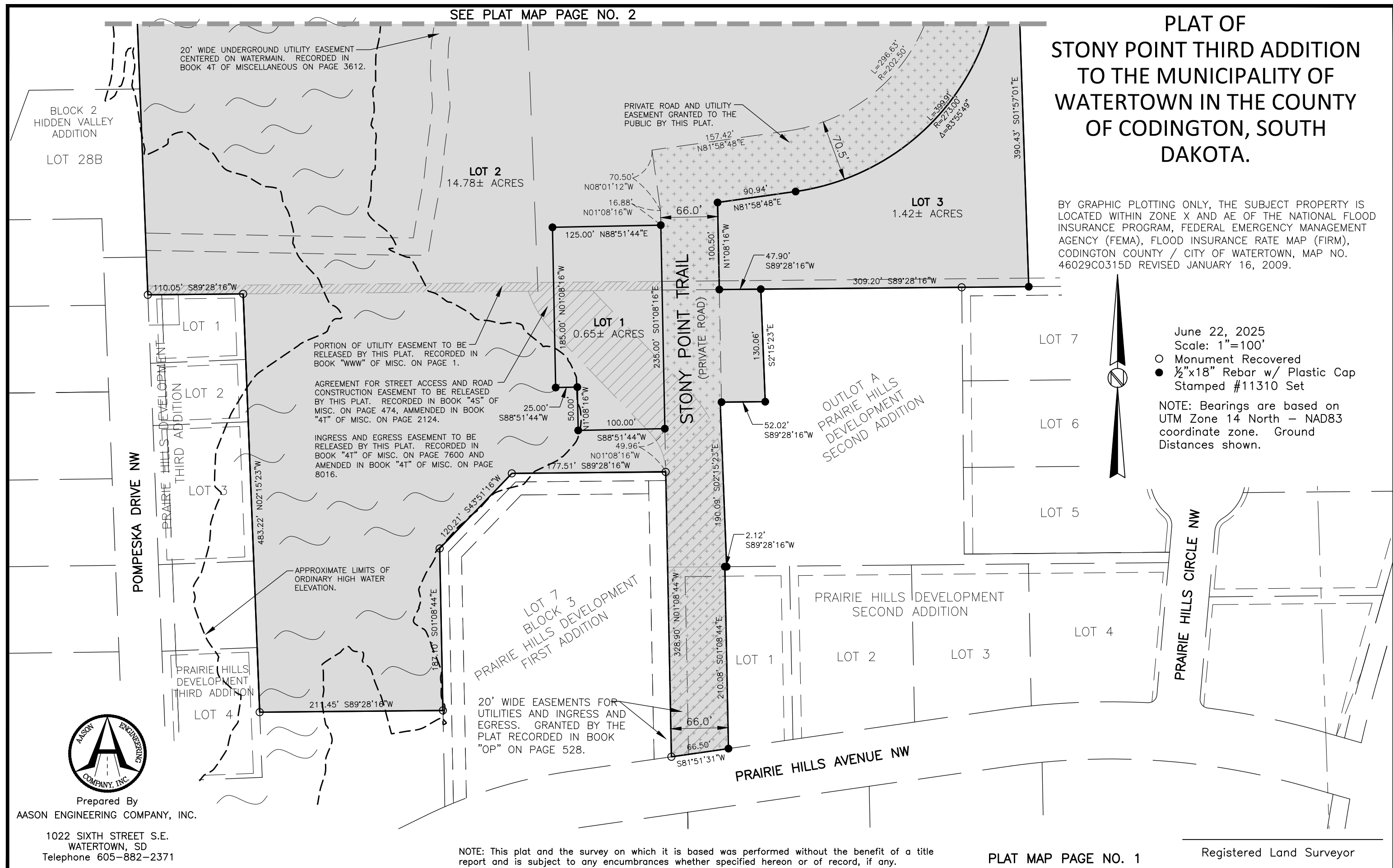
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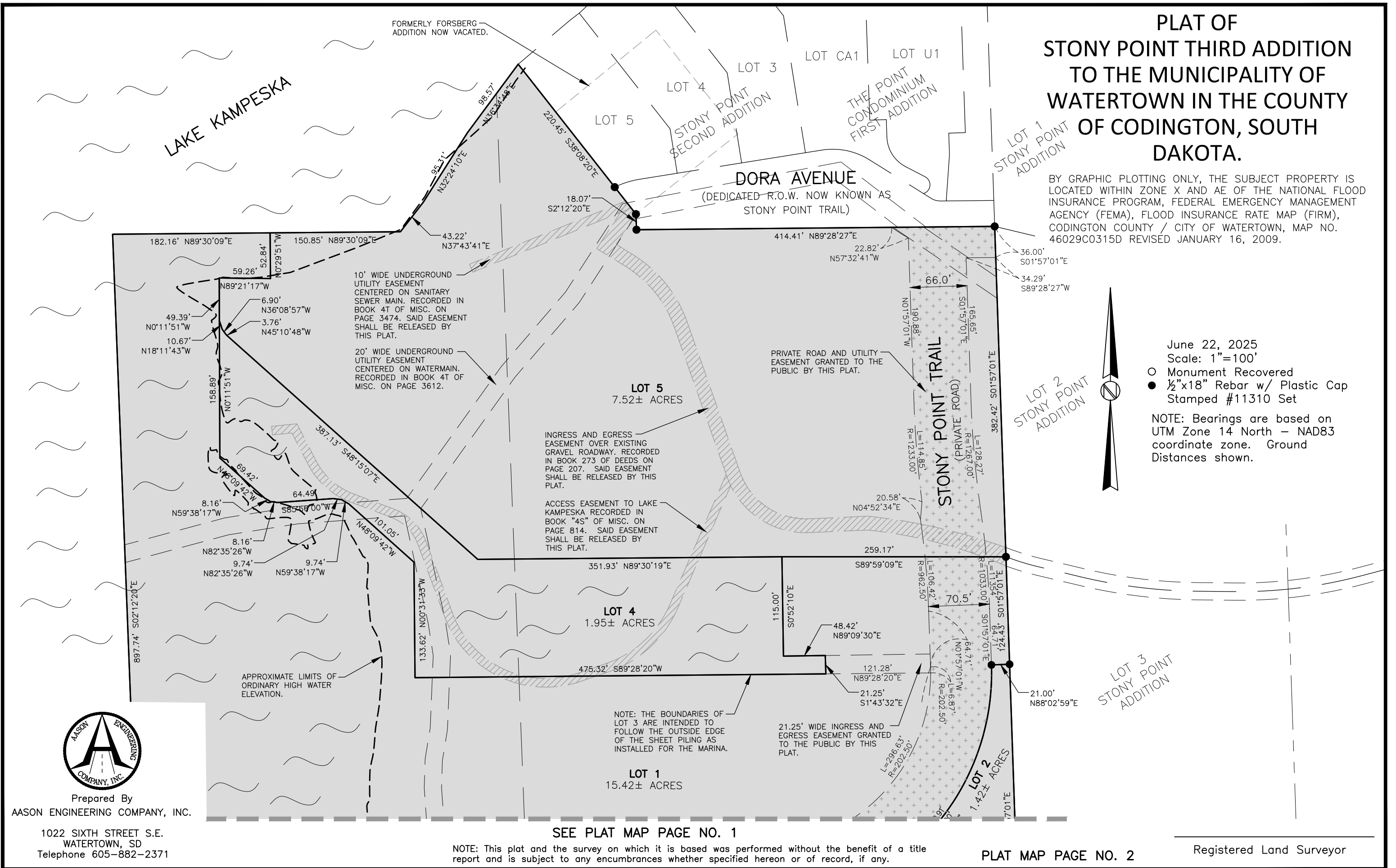
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SEE PLAT MAP PAGE NO. 1

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PLAT MAP PAGE NO. 2

Registered Land Surveyor

PLAT OF
STONY POINT THIRD ADDITION TO THE MUNICIPALITY OF
WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.

State of South Dakota

) ss

County of Codington)

On this the 30th day of June, 2025, before me, personally appeared Robert Drake
Acting Agent for Stony Point Investments, LLP known to me or satisfactorily proven to be the person whose
name is subscribed to the within instrument and who acknowledged that they executed the foregoing
instrument for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Michelle Burleson
Notary Public

My Commission Expires: 9-28-2030



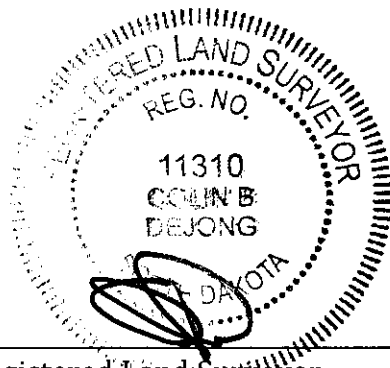
**PLAT OF
STONY POINT THIRD ADDITION TO THE MUNICIPALITY OF
WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.**

SURVEYOR'S CERTIFICATE

I, **Colin B. DeJong**, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the instance and request of the owner(s) of the aforementioned property, did on or before the date listed below, survey the parcel of land as shown on the accompanying plat.

I further certify that the said plat is a true and correct representation of the said parcel as surveyed and platted by me.

I hereby set my hand and seal this 2ND day of JULY 2025.



Registered Land Surveyor

CITY STREET AUTHORITY'S CERTIFICATE

Having the authority to do so; I hereby approve access for the lots included in this plat onto the adjoining right of ways. All access sizes and locations to be determined at building permit issuance.

Dated this ____ day of _____, 20__

Justin Petersen, P.E.
City Engineer, Watertown, SD

CITY PLAN COMMISSION RECOMMENDATION

Resolution No. _____

The aforementioned plat has been duly examined and it appears that said plat is in all respects lawful and proper and entitled to approval. It is hereby recommended for approval by the Watertown City Plan Commission on this ____ day of _____, 20__

Chairman
Watertown City Plan Commission



**PLAT OF
STONY POINT THIRD ADDITION TO THE MUNICIPALITY OF
WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.**

RESOLUTION OF WATERTOWN CITY COUNCIL

Resolution No. _____

Be it resolved by the City Council of Watertown, South Dakota, having viewed this plat and having received a recommendation from the Watertown City Plan Commission, does hereby approve this plat of **“Stony Point Third Addition to the Municipality of Watertown, in the County of Codington, South Dakota,”** and the City Finance Officer is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon.

The above and foregoing resolution was duly passed and adopted.

Dated at Watertown, South Dakota, this _____ day of _____, 20__

Attest:

Chief Financial Officer
City of Watertown, SD

Mayor
City of Watertown, SD

CITY FINANCE OFFICER'S CERTIFICATE

I, the duly appointed, qualified and acting Chief Financial Officer of the City of Watertown, South Dakota, hereby certify that all special assessments, which are liens upon any of the land depicted and described in this plat, as shown by the records in my office on this _____ day of _____, 20__ have been paid in full.

Chief Financial Officer
City of Watertown, SD

TREASURER'S CERTIFICATE

I hereby certify that I am the duly elected, qualified, and acting Treasurer of Codington County, South Dakota, and I hereby certify that all taxes which would, if not paid, be liens upon any of the land depicted and described in this plat, as shown by the records in my office on this _____ day of _____, 20__ have been paid in full.

Treasurer
Codington County, SD



**PLAT OF
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WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.**

DIRECTOR OF EQUALIZATION CERTIFICATE

I, the Director of Equalization of Codington County, South Dakota, do hereby certify that a copy of this plat has been filed in my office on this _____ day of _____, 20__

Director of Equalization
Codington County, SD

REGISTER OF DEEDS CERTIFICATE

I hereby certify that I have received and filed for record this _____ day of _____, 20__ at _____ O'clock ____M. and duly recorded in Book _____ of Plats on Page _____.

Register of Deeds,
Codington County, SD



Document prepared by:
Community Development Division
23 2nd St NE
Watertown, SD 57201
605-882-6201

**AGREEMENT FOR THE REPAIR AND MAINTENANCE
OF PRIVATE ROAD KNOWN AS STONY POINT TRAIL AND OTHER
MISCELLANEOUS PLAT CONDITIONS FOR STONY POINT THIRD ADDITION**

THIS AGREEMENT is made and entered into this ____ day of _____, 2025, by and between Robert Drake, Acting Agent of Stony Point Investments, LLP, of the following described property, hereinafter “Developer,” and the City of Watertown, a municipal corporation of the State of South Dakota, hereinafter “City” and is subject to the following terms and conditions:

A. RECITALS

1. Developer certifies that it is the absolute and unqualified owner of:

*“Stony Point Third Addition to the Municipality of Watertown in the County of
Codington, South Dakota”*

and has the legal authority to enter into this agreement. A copy of the plat drawing is attached hereto and incorporated into this AGREEMENT by reference.

2. The City Council of the City of Watertown, upon the recommendation of the Watertown Planning Commission, approved the plat known and described as Stony Point Third Addition to the Municipality of Watertown at its meeting held on July 10th, 2025, with certain conditions including the provision of a private road easement for ingress and egress between that portion of Dora Avenue (also known as Stony Point Trail) and Prairie Hills Avenue NW for the abutting properties within Stony Point Third Addition, Stony Point Second Addition, The Point Condominium First Addition, and Outlot A Prairie Hills Development Second Addition as shown on the plat, and Developer’s responsibility to construct and maintain a paved access road within the private road easement.
3. Developer acknowledges City ordinance requirements for all platted lots to abut a public right-of-way or an approved private road, and the ordinance requirements associated with private roads.
4. Developer and City hereby knowingly and voluntarily enter into this AGREEMENT in accordance with the conditions of said plat approval.

B. DEVELOPER’S OBLIGATIONS AS TO ACCESS EASEMENT, PRIVATE ROADWAY AND ASSOCIATED REPAIR AND MAINTENANCE

1. Developer agrees, on its behalf and that of its heirs and successors in title interest of said platted lots and private road and utility easement granted to the public by the plat is a permanent ingress and egress easement to provide unobstructed public access to Stony Point Third Addition, Stony Point Second Addition, The Point Condominium First Addition, and Outlot A Prairie Hills Development Second Addition.
2. Developer agrees, on its behalf and that of its heirs and successors in title interest of said platted lots that the private road be constructed and maintained in accordance with the approved

construction plans on file with the City Engineer.

3. Developer agrees, on its behalf and that of its successors in title interest of said platted lots, that it is responsible for all maintenance, including but not limited to snow removal, pavement repair and replacement, grass mowing and weed control of the private road, Stony Point Trail, and the associated easement area and that portion of the public right-of-way, Dora Avenue (platted as Dora Avenue on the Plat of Stony Point Second Addition now known as Stony Point Trail), that abuts Stony Point Second Addition. Developer expressly understands that the City has no responsibility for said maintenance.
4. Developer agrees, on its behalf and that of its successors in title interest of said platted lots, to maintain the access easement area including the paved roadway in a state comparable to that of dedicated city streets, and to keep the roadway free of snow. In the event Developer or its successors in title interest of the private road easement fails to perform said maintenance activities in a reasonable manner, the City may, but is not required to, perform the maintenance activities, and if the City does so, Developer or its successors in title interest of said platted lots shall reimburse the City its reasonable cost thereof as determined by the City through the private road by use of an assessment, cost recovery, or other available remedy of collection of the cost.

C. GENERAL PROVISIONS

1. All of the terms and conditions herein shall extend to and be binding upon the heirs, assigns, or successors in interest of the Developer, and are to be deemed a covenant running with the above-described property. Furthermore, it is agreed that, in accepting title to the above-described property any grantee, heir, assign, or successor in interest to the undersigned expressly agrees to be bound by the terms of this agreement which shall, upon its execution, be recorded with the Codington County Register of Deeds Office pursuant to the provisions of South Dakota law.
2. City may undertake any legal or equitable action available to enforce the provisions of this agreement in addition to any other remedy provided herein. In the event the City is required to undertake any action to enforce the terms of this agreement or its subdivision regulations in connection with this agreement, the Developer, its heirs, assigns or successors in interest agree the City may recover its reasonable expenses, including attorney's fees incurred with respect to such action.
3. Should any section or provision of this agreement be declared invalid for any reason whatsoever by any court of competent jurisdiction, such invalidity shall not affect any other section or provision of this agreement in the event such remaining provisions can be given effect without those sections having been declared invalid.
4. This agreement shall be construed according to the laws of the State of South Dakota. No modification or amendment to this agreement shall be valid, unless evidenced by a writing signed by the parties hereto.
5. If Developer is a corporation, it hereby warrants that it has the authority to enter into this agreement for and on behalf of its officers and/or directors.

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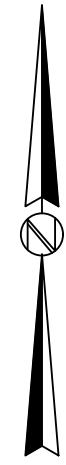
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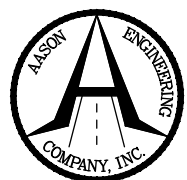
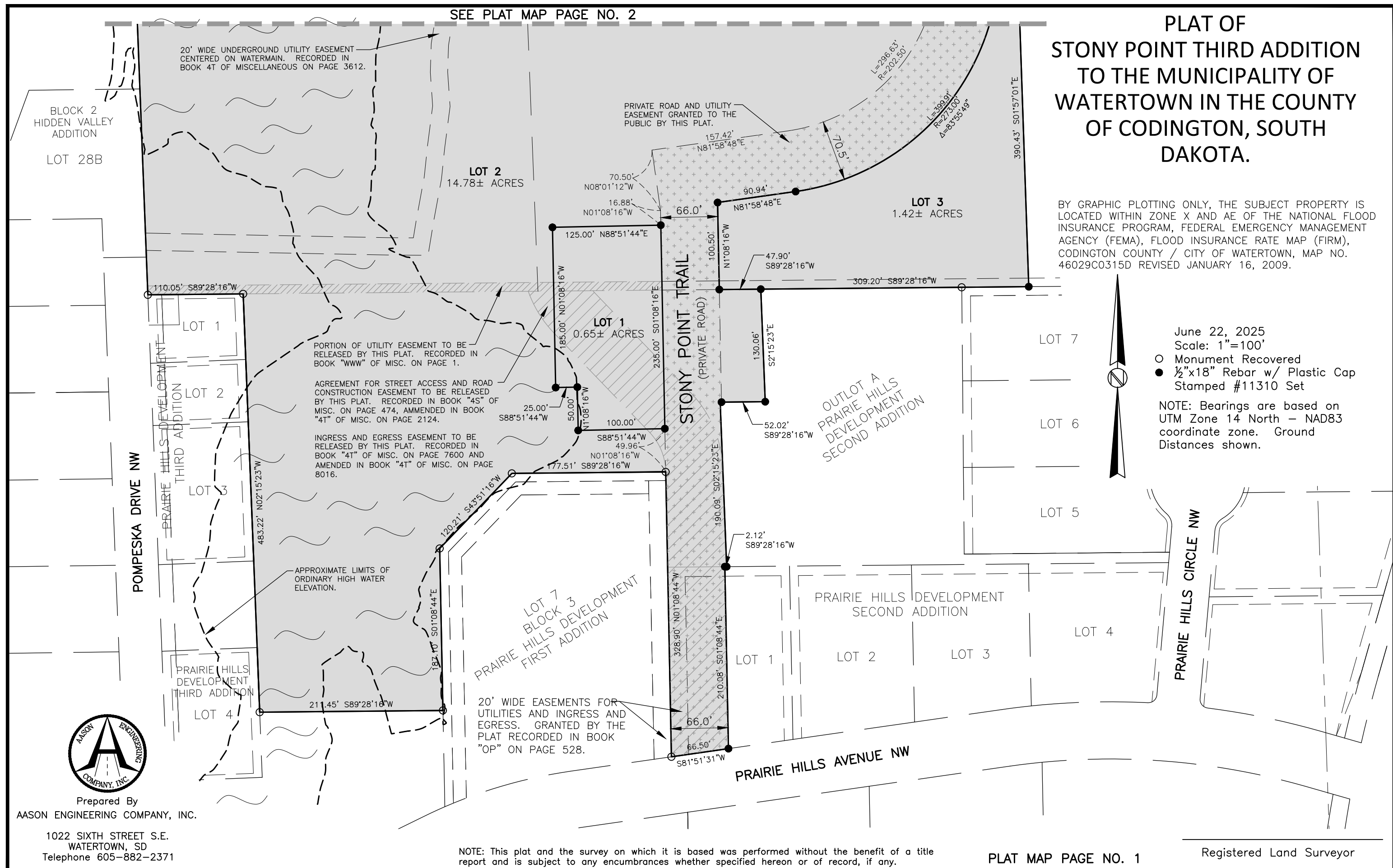
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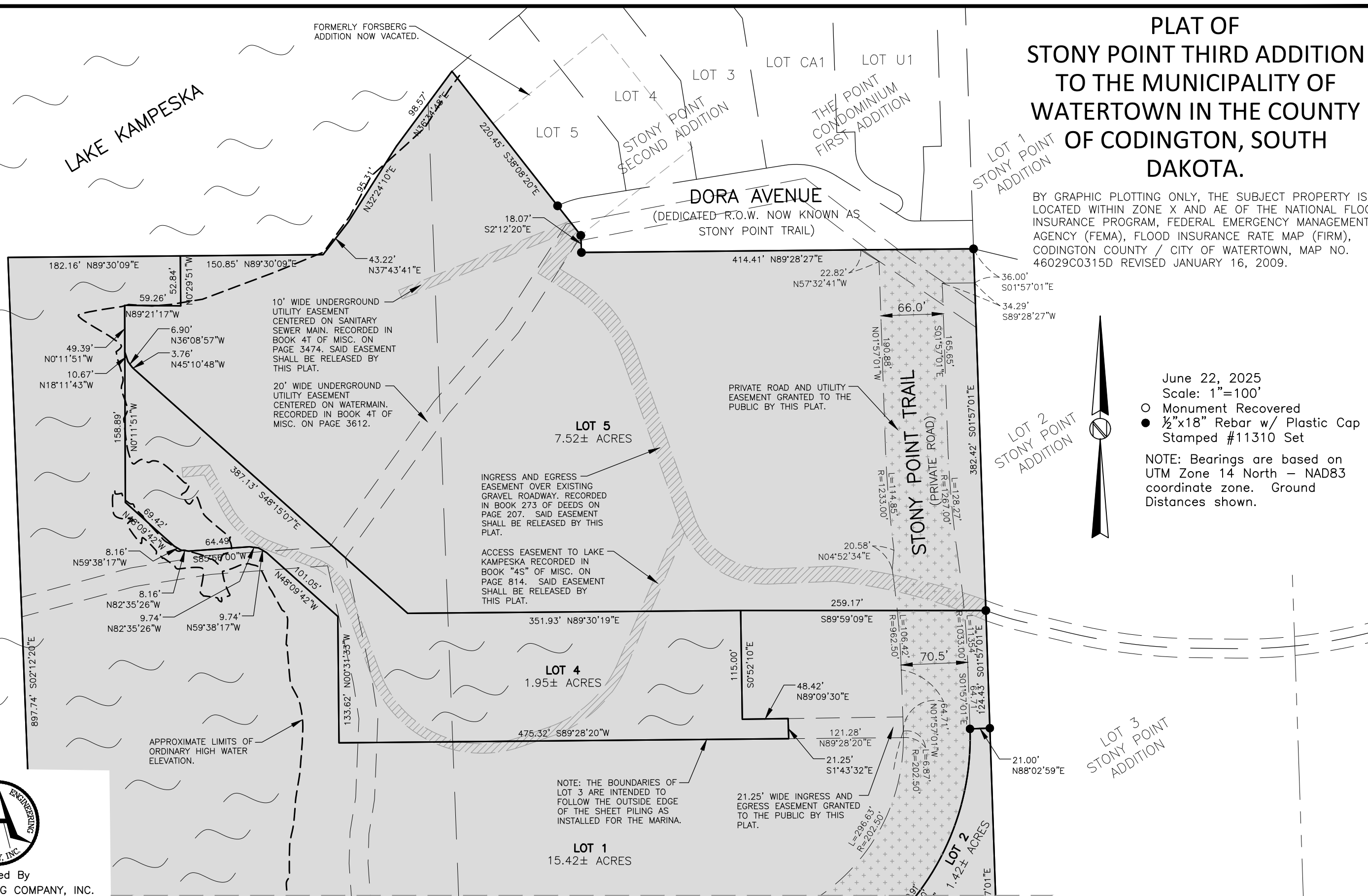
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LAKE KAMPESKA

FORMERLY FORSBERG ADDITION NOW VACATED.

DORA AVENUE
(DEDICATED R.O.W. NOW KNOWN AS STONY POINT TRAIL)



182.16' N89°30'09"E
150.85' N89°30'09"E
43.22' N37°43'41"E

10' WIDE UNDERGROUND UTILITY EASEMENT CENTERED ON SANITARY SEWER MAIN, RECORDED IN BOOK 4T OF MISC. ON PAGE 3474. SAID EASEMENT SHALL BE RELEASED BY THIS PLAT.
20' WIDE UNDERGROUND UTILITY EASEMENT CENTERED ON WATERMAIN, RECORDED IN BOOK 4T OF MISC. ON PAGE 3612.

LOT 5
7.52± ACRES

INGRESS AND EGRESS EASEMENT OVER EXISTING GRAVEL ROADWAY, RECORDED IN BOOK 273 OF DEEDS ON PAGE 207. SAID EASEMENT SHALL BE RELEASED BY THIS PLAT.

ACCESS EASEMENT TO LAKE KAMPESKA RECORDED IN BOOK "45" OF MISC. ON PAGE 814. SAID EASEMENT SHALL BE RELEASED BY THIS PLAT.

LOT 4
1.95± ACRES

NOTE: THE BOUNDARIES OF LOT 3 ARE INTENDED TO FOLLOW THE OUTSIDE EDGE OF THE SHEET PILING AS INSTALLED FOR THE MARINA.

LOT 1
15.42± ACRES

21.25' WIDE INGRESS AND EGRESS EASEMENT GRANTED TO THE PUBLIC BY THIS PLAT.

STONY POINT TRAIL
(PRIVATE ROAD)

LOT 2
STONY POINT ADDITION

LOT 3
STONY POINT ADDITION

APPROXIMATE LIMITS OF ORDINARY HIGH WATER ELEVATION.



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SEE PLAT MAP PAGE NO. 1

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PLAT MAP PAGE NO. 2

Registered Land Surveyor

Report and Recommendation of the Watertown Planning Commission

To the City Council of the City of Watertown, Codington County, South Dakota:

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and approved and adopted during the meeting of the City Planning Commission held on the 10th day of July 2025.

RESOLUTION NO. 25-17

WHEREAS, Applicant, Robert Drake, Acting Agent of Stony Point Investments, LLP, is the owner of property legally described as:

"Stony Point Third Addition to the Municipality of Watertown in the County of Codington, South Dakota"


WHEREAS Applicant wishes to subdivide the above-described real property; and

WHEREAS whenever any subdivision of land is proposed, the owner or authorized agent shall apply for and secure approval of such subdivision plat in accordance with the procedures set forth in Title 24 of the Revised Ordinances of the City of Watertown, South Dakota; and

NOW THEREFORE BE IT RESOLVED by the City Planning Commission of the City of Watertown, South Dakota, that the Plat of *"Stony Point Third Addition to the Municipality of Watertown in the County of Codington, South Dakota"* has been examined and it appears that said plat is in all respects lawful and entitled to approval, and that said plat is hereby recommended for approval.

I further certify that the foregoing Resolution is now in full force and effect and unrevoked.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of July 2025.



City Planning Commission

Prepared by:
Community Development Division
City of Watertown
20 North Maple
P.O. Box 910
Watertown, SD 57201
(605) 882-6202

RESOLUTION NO. 25-17

RECOMMENDED BY THE CITY PLANNING COMMISSION

PLAT OF STONY POINT THIRD ADDITION

BE IT RESOLVED by the City Council of the City of Watertown, South Dakota, having viewed this plat, and having received a recommendation from the Watertown Planning Commission, does hereby approve this plat of:

"Stony Point Third Addition to the Municipality of Watertown in the County of Codington, South Dakota"

Dated at Watertown, South Dakota, this 4th day of August 2025.

The above and foregoing Resolution was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon roll call vote all voted aye, whereupon the Mayor declared the same to be duly passed and adopted.

I hereby certify that Resolution No. 25-17 was published in the Watertown Public Opinion, the official newspaper of said City (as part of the minutes of the City Council meeting of _____, 2025), on the ____ day of _____, 2025, and a copy of the publication is on file in the City Finance Department.

Kristen Bobzien, Chief Financial Officer

City of Watertown

Attest:

Kristen Bobzien
Chief Financial Officer

Ried Holien
Mayor