

STAFF REPORT
September 30, 2025

GENERAL INFORMATION:

PETITIONER The Towers, LLC

REQUEST **Application for Conditional Use to construct a new telecommunications tower and facility in Ag District**

LEGAL DESCRIPTION NE1/4 of Section 33, T126N, R59W

CURRENT ZONING Agricultural (Ag)
(SURROUNDING)

REPORTED BY Erin Collins-Miles

COMMENTS/HISTORY:

1. The property which is proposed to be used for the tower location is owned by Newport Hutterian Brethren and will be leased to house the tower.
 - a. The Towers, LLC requests to complete this project for Verizon Wireless.
2. According to the application, the project includes a fenced and rocked compound with installation of related antennas, radios, lines, electronic cabinets, backup generator and utility H-frame alone with a new gravel access driveway.
 - a. The 255' tower height also includes a 5' lightening rod affixed to the top of tower.
 - b. The road lying to the East of the tower location is a township road.
 - c. If the structure is built as requested, it would be positioned 215' from the right-of-way line.
3. Appendix E of the Marshall County Ordinance requires that towers in excess of one hundred (100) feet in height shall meet the following;
 - a. Distance from existing off-site residences, business and public buildings shall be one thousand (1,000) feet. Distance from on-site or lessor's residence shall be five hundred (500) feet.
 - b. Distance from public right-of-way shall be set back one (1) additional foot per each foot of tower height in excess of one hundred (100) feet.
 - c. Distance from any property line shall be set back one (1) additional foot per each foot of tower height in excess of one hundred (100) feet.
 - d. Regarding Appendix E, there are no existing towers within one-half mile of the proposed site that could be utilized for collocation.
 - i. The nearest existing tower is located approximately 10 miles from the proposed site.
4. No written comments or objections were received prior to the writing of this staff report.

STAFF RECOMMENDATION/REVIEW: Granting of this conditional use would bring the proposed Tower into compliance with the rules and regulations set forth by Marshall County. It is recommended to approve the construction of the 255' lattice telecommunications tower and facility within a 100'x100' lease area, which will also include a 30' wide access/utilities easement extending East toward 425th Ave, as was written in the supporting documents submitted by the applicant and legal notice which was published previously.

NOTICE OF HEARING - APPLICATION FOR CONDITIONAL USE

Notice is hereby given that the Marshall County Planning & Zoning Board will meet on September 30, 2025 at 9:00 a.m. at the North Marshall Firehall meeting room, concerning the following application for a Conditional Use from the Marshall County Zoning Ordinance.

The Towers, LLC has requested a Conditional Use from the Marshall County Zoning Ordinance to construct a 255' lattice telecommunications tower and facility within a 100'x100' lease area, which will also include a 30' wide access/utilities easement extending East toward 425th Ave; on the property described as the NE1/4 of Section 33, T126N, R59W.

Erin Collins-Miles
Planning & Zoning Administrator

Published once at the approximate cost of

For publication: September 17, 2025

1T (Sept 17)
NOTICE OF HEARING
- APPLICATION FOR
CONDITIONAL USE
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the Marshall County Planning
& Zoning Board will meet on
September 30, 2025 at 9:00 a.m. at

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Erin Collins-Miles
Planning & Zoning Administrator
Published at an approximate cost of \$6.96 and can be viewed free of charge at www.sdpublicnotices.com.



MARSHALL COUNTY APPLICATION FOR CONDITIONAL USE

DATE: _____

To: Marshall County Planning and Zoning Commission
PO Box 9
Britton, SD 57430

The undersigned do hereby request a conditional use from the Marshall County Zoning Ordinance as provided by Article _____ Section Appendix E for the purpose of Wireless Telecommunications Towers and Facilities

Legal Description: please see attached

Reason: construction of a new telecommunications tower in a fenced and rocked compound with installation of related antennas, radios, lines, electronic cabinets, backup generator and utility H-frame along with a new gravel access drive

The Towers, LLC
Applicant's Name: (by Buell Consulting, Inc.) Phone: 504.259.9663
Address: 9973 Valley View Road, Eden Prairie, MN 55344
Applicant's Signature: [Signature] Woody Krog (for The Towers, LLC)
Owner's Signature (if different from applicant): Joseph Waldner
for Newport Hutterian Brethren, Inc.

For Internal Office Use Only:

Date Received: 8-14-29 Fees (non-refundable): \$150.00 Paid: (YES) NO

Inspection Report: See Staff report

Date of Hearing by Planning and Zoning Commission: September 30, 2025

Action taken by Planning and Zoning Commission: _____

MARSHALL COUNTY PLANNING & ZONING COMMISSION
P.O.BOX 9
BRITTON, SOUTH DAKOTA 57430
605.448.7540

September 12, 2025

Dear Property Owner,

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As an adjacent landowner, you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erin Collins-Miles".

Erin Collins-Miles
Planning and Zoning Director

MARSHALL COUNTY PLANNING & ZONING COMMISSION
P.O.BOX 9
BRITTON, SOUTH DAKOTA 57430
605.448.7540

September 12, 2025

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As an adjacent landowner, you are being notified of the hearing. If you have any questions, please contact my office. Any comments or concerns should be stated in writing and forwarded to my office or expressed at the scheduled hearing.

Sincerely,



Erin Collins-Miles
Planning and Zoning Director

Sent to the following adjacent landowners on 9/12/25:

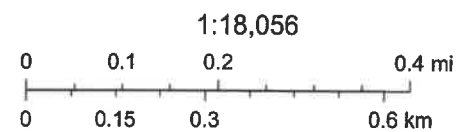
1. Scott J. Symens – 41354 116th St. Claremont, SD 57432
2. Lonnie & Janann Jones – 11675 415th Ave. Claremont, SD 57432
3. David & Kayleen Doctor Trust – 12 Campbell Rd Aberdeen, SD 57401
4. David Doctor – 442553 North Shore Dr. Lake City, SD 57247
5. Newport Hutterian Brethren, Inc. – 11796 414th Ave. Claremont, SD 57432

MARSHALL COUNTY WEB VIEWER



9/12/2025, 11:10:50 AM

- TOWNSHIPS
- SECTIONS
- PARCELS





BUELL CONSULTING, INC.
9973 Valley View Road
Eden Prairie, MN 55344
www.buellconsulting.com

August 12, 2025

Erin Collins-Miles
Planning & Zoning/911 Administrator
1611 Vander Horck
Britton, SD 57430

RE: The Towers, LLC Telecommunications Tower / Conditional Use Application / Parcel ID: 18-59-33-1000

Dear Ms. Collins-Miles:

Please accept this letter and the enclosed documents for a Conditional Use Permit Application filing for a new *The Towers, LLC* build-to-suit Telecommunications Tower project for *Verizon Wireless* (Verizon) in Marshall County.

Verizon has partnered with The Towers to build a new 255' tower with a ^{6'} lightning rod to serve the rural area east of Claremont. A lease has been negotiated with Newport Hutterian Brethren, Inc. for the proposed tower site on Parcel ID: 18-59-33-1000.

The following related documents are enclosed:

- 1) Zoning Drawings including land survey
- 2) Legal descriptions
- 3) Completed Conditional Use Permit Application
- 4) Telecommunications Act of 1996
- 5) FCC Office of Engineering and Technology Bulletin 65 (RF Safety)

Regarding County Code requirements in Appendix E, Wireless Telecommunications Towers and Facilities, 1.2.3, there are no existing towers within one half mile of the proposed site that could be utilized for collocation. The nearest existing tower is about 10 miles from the proposed site.

If anything further is needed, please advise; my contact information is below.

Respectfully,

Woody Krog

Woody Krog
Phone: 504.259.9663 (call or text)
Email: wkrog@buellconsulting.com



July 10, 2025

Erin Collins-Miles
Planning & Zoning/911 Administrator
1611 Vander Horck
Britton, SD 57430

**RE: Proposed Telecommunications Tower | Marshall County Parcel #18-59-33-1000
Newport Hutterian Brethren, Inc. | Site Name: Newport**

Dear Ms. Collins-Miles,

This letter is provided as an addition to the Conditional Use Permit Application for the referenced proposed Telecommunications Tower site. The planned tower is proposed as a build-to-suit for Verizon Wireless (Verizon). Therefore, the following are Verizon's statements regarding interference and RF emissions.

Interference: Verizon provides Commercial Mobile Radio Services (CMRS) under licenses granted by the Federal Communication Commission (FCC). Pursuant to these licenses, Verizon is authorized to operate its CMRS network in many geographic areas throughout the nation, including Marshall County, South Dakota.

The FCC exclusively regulates all technical aspects of Verizon operations and network and preempts all state and local regulation of radiofrequency transmissions. The FCC rules protect co-channel and adjacent licensees against harmful interference.

The proposed Verizon facility is compliant with all applicable FCC requirements. The points below cover Verizon's practices pertinent to complying with the FCC requirements:

1. Verizon locates its transmitting antenna(s) in order to maximize vertical and horizontal separation from other operator's systems to minimize interference potential.
2. All equipment at the proposed facility is designed and certified to operate within the frequencies licensed to Verizon by the FCC, and to operate in a manner approved by the FCC.
3. The power levels generated by the facility's radios and corresponding effective radiated power (ERP) from the transmitting antenna(s) are within the limitations specified by Part 22 (for cellular), Part 24 (for PCS), Part 27 (for 700 MHz, AWS or C-Band), Part 96 (for CBRs), Part 30 (UMFUS/mmWave) or Part 101 (for microwave) of the Commission's Rules.

Verizon is committed to providing state of the art wireless services that benefit the community. In the unlikely event that interference does occur, Verizon agrees to fully cooperate with the entity experiencing interference to identify and correct, to the extent reasonably possible, any issues caused by the Verizon installation.

RF Emissions: Verizon Wireless has performed a radio frequency (RF) compliance pre-construction evaluation for the referenced proposed site and based on the results of the evaluation, the site will be compliant with FCC Guidelines.

The FCC has established safety rules relating to potential RF exposure from cell sites. The rules are codified at 47 C.F.R § 1.1310. The FCC provides guidance on how to ensure compliance with its rules in the FCC Office of Engineering and Technology Bulletin 65, which can be found at:

The FCC developed the RF standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The FCC provides information about the safety of radio frequency (RF) emissions from cell towers on its website at: <https://www.fcc.gov>.

Please refer to the FCC Office of Engineering and Technology Bulletin 65 for information on RF exposure guidelines, RF safety, and landlord responsibilities. Questions related to compliance with federal regulations should be directed to VZWRFCompliance@VerizonWireless.com.

Please contact your local Verizon resource below if you have additional site-specific questions.

Contact Name	Contact Email	Contact Phone
Jerry Haffield	Jerry.haffield@verizonwireless.com	605-366-0005

Sincerely,



Jerry Haffield
Sr Engr Cslt – Radio Frequency
Verizon Wireless

NEW

SITE PLAN
OF
SD04 NEWPORTIN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59
WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA

NOTES

1. THE 30.00-FOOT WIDE ACCESS/UTILITY EASEMENT BEING CREATED IN THIS DOCUMENT TERMINATES AT THE WEST RIGHT-OF-WAY LINE OF 415TH AVENUE.
2. THE VB ENTITY NAME OF THIS SITE IS THE TOWER, LLC
3. AT THE TIME OF THIS SURVEY THERE WERE NO VISIBLE ABOVE GROUND ENCROACHMENTS LOCATED ON THE LEASE OR EASEMENT AREAS OTHER THAN SHOWN ON THIS MAP.
4. THE LEASE AREA AND ALL EASEMENTS ARE ENTIRELY WITHIN THE PARENT PARCEL.
5. THE ACCESS AND UTILITY EASEMENT GO TO A CONFIRMED PUBLIC RIGHT-OF-WAY.

FEMA MAP NUMBER 46091C0375B EFFECTIVE DATE 12/21/2023 NOT PRINTED. PHONE CALL MADE TO THE MARSHALL COUNTY FLOOD PLANE ADMINISTRATOR AND THEY ALSO HAVE NO ACCESS TO FEMA MAPS AT THIS TIME. ASSUMING IN RELATION TO FEDERAL BUDGET CUTS.

RECORDED INSTRUMENT #12 IS AN ELECTRIC UTILITY EASEMENT TO NORTHWESTERN PUBLIC SERVICE COMPANY FOR A 20' x 25' AREA FOR A DOWN GUY AND ANCHOR. AS THIS EASEMENT IS 736 FEET NORTHWEST OF THE N.W. CORNER OF THE LEASE AREA BEING DESCRIBED AND ALONG THE RIGHT-OF-WAY LINE OF 117TH STREET, IT IS NOT SHOWN IN THIS DRAWING AND DOES NOT INTERFERE WITH THE SITE.

LEGAL DESCRIPTION: PARENT PARCEL (SUPPLIED BY OTHERS)

(TITLE COMMITMENT SUPPLIED BY TOWER TITLE & CLOSING WITH AN ISSUING AGENT: FIRST DAKOTA TITLE AND A COMMITMENT NUMBER: SD-2447954-1 AND A COMMITMENT DATE OF DECEMBER 23, 2024 - SCHEDULE A)

THE NORTHEAST QUARTER (NE1/4) OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA.

EASEMENTS AND RESTRICTIONS (SUPPLIED BY OTHERS)

(TITLE COMMITMENT SUPPLIED BY TOWER TITLE & CLOSING WITH AN ISSUING AGENT: FIRST DAKOTA TITLE AND A COMMITMENT NUMBER: SD-2447954-1 AND A COMMITMENT DATE OF DECEMBER 23, 2024 - SCHEDULE B SECTION 2)

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I - REQUIREMENTS ARE MET. (DOES NOT EFFECT)
2. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT RECORDED OR FILED IN THE PUBLIC RECORDS. (DOES NOT EFFECT)
3. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCES AFFECTING TITLE THAT WOULD DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND OR THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND. (DOES NOT EFFECT)
4. EASEMENTS OR CLAIMS OF EASEMENTS, NOT RECORDED OR FILED IN THE PUBLIC RECORDS. (DOES NOT EFFECT)
5. ANY LIEN OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT RECORDED OR FILED IN THE PUBLIC RECORDS. (DOES NOT EFFECT)
6. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT RECORDED OR FILED IN THE PUBLIC RECORDS. (DOES NOT EFFECT)
7. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTION IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS. (DOES NOT EFFECT)
8. ANY RIGHT, TITLE, OR INTEREST IN ANY MINERALS, MINERAL RIGHTS, OR RELATED MATTERS, INCLUDING BUT NOT LIMITED TO OIL, GAS, COAL AND OTHER HYDROCARBONS. (DOES NOT EFFECT)
9. LIENS OR DEFERRED CHARGES FOR SEWER, WATER MAINS AND SERVICE PIPES, NOT RECORDED OR FILED IN THE TAX ROLLS. (DOES NOT EFFECT)
10. THE 2023 REAL ESTATE TAXES DUE AND PAYABLE IN 2024 IN THE AMOUNT \$2,185.90 ARE PAID IN FULL. TAX ID # 18.59.33.1000. (DOES NOT EFFECT)
11. ANY RIGHT, TITLE, OR INTEREST CLAIMED BY ANY LESSEE OR TENANT, OR BY AN ASSIGNEE OF SAME, IN ANY PORTION OF THE SUBJECT PROPERTY BY VIRTUE OF ANY UNRECORDED LEASE, AGREEMENT, OR MEMORANDUM THEREOF, INCLUDING, BUT NOT LIMITED TO, ANY OPTION TO RENEW, OPTION TO PURCHASE, AND RESTRICTION AGAINST ANOTHER BUSINESS OF THE SAME NATURE. (DOES NOT EFFECT)
12. ELECTRIC UTILITY EASEMENT EXECUTED BY NEWPORT HUTTERIAN BROTHERS, INC., TO NORTHWESTERN PUBLIC SERVICE COMPANY. FOR LAND IN THE NE1/4NE1/4, 33-126-59. DATED OCTOBER 10, 1981 AND RECORDED OCTOBER 23, 1981 AT 10:00 A.M. IN BOOK ZM, PAGE(S) 685-686 (DOES EFFECT - SEE NOTE #7)
13. RIGHTS OF THE PUBLIC IN AND TO THE SECTION LINE RIGHT-OF-WAY. (AS SHOWN)

LEGAL DESCRIPTION: LEASE SPACE

THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE S01°07'49"E (ASSUMED BEARING), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 721.73 FEET; THENCE S88°52'11"W, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 187.50 FEET TO THE POINT OF BEGINNING; THENCE S01°07'49"W, A DISTANCE OF 65.00 FEET; THENCE S88°52'11"W, A DISTANCE OF 100.00 FEET; THENCE N01°07'49"W, A DISTANCE OF 100.00 FEET; THENCE N88°52'11"E, A DISTANCE OF 100.00 FEET; THENCE S01°07'49"E, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING. CONTAINING AN AREA OF 10,000 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

CONTAINING AN AREA OF 10,000 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: 30' ACCESS / UTILITY EASEMENT

THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE S01°07'49"E (ASSUMED BEARING), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 721.73 FEET; THENCE S88°52'11"W, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 187.50 FEET TO THE POINT OF BEGINNING; THENCE S01°07'49"W, A DISTANCE OF 65.00 FEET; THENCE S88°52'11"W, A DISTANCE OF 100.00 FEET; THENCE N01°07'49"W, A DISTANCE OF 100.00 FEET; THENCE N88°52'11"E, A DISTANCE OF 100.00 FEET; THENCE S01°07'49"E, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 4,635 SQUARE FEET OR 0.11 ACRES, MORE OR LESS.

SITE PLAN OF

SD04 NEWPORT

IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59
WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA

LINE TABLE

LINE NUMBER	BEARING	LENGTH
L1	S01°07'49"E	35.00'
L2	N01°07'49"W	30.00'
L3	S01°07'49"E	35.00'
L4	S01°07'49"E	65.00'
L5	S01°07'49"E	30.00'
L6	S88°52'11"W	33.00'

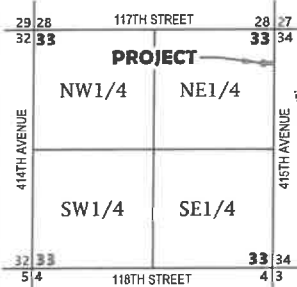
LEGEND

- △ CALCULATED CONTROL
- ⋈ SET QUARTER CORNER
- ⋈ SET SECTION CORNER
- ⊙ POWER POLE
- OP - OVERHEAD POWER LINE
- (M) MEASURED DISTANCE
- (C) CALCULATED DISTANCE
- R.O.W. RIGHT-OF-WAY

NOTE: SYMBOLS SHOWN ON THIS MAP
IDENTIFYING TOPOGRAPHIC
FEATURES MAY NOT BE TO ACTUAL SIZE.
SYMBOLS MAY BE ENLARGED FOR
VISUAL PURPOSES.

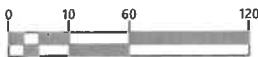


BASIS OF BEARINGS
ASSUMED COORDINATES
NAD83 (2011)
GRID NORTH
BASED ON GNSS OBSERVATION



VICINITY MAP

SEC. 33, T 126 N, R 59 W, 5th
NO SCALE



TOWER
LATITUDE: 45°41'16.47090"N
LONGITUDE: 97°55'05.03387"W
GROUND ELEVATION: 1305.3'

PROPERTY ADDRESS PER TITLE COMMITMENT: 0 117TH ST & 415TH AVE, CLAREMONT, SD 57432
VESTING TITLE COMMITMENT: NEWPORT HUTTERIAN BRETHREN, INC.
DEED REFERENCE FROM SUPPLIED TITLE COMMITMENT: SPECIAL WARRANTY DEED TO NEWPORT
HUTTERIAN BRETHREN INC. BOOK A20 PAGE 269
PARCEL ID PER COUNTY GIS: 18.59.33.4000
VB ENTITY NAME: THE TOWER, LLC
FLOOD ZONE: UNKNOWN, SEE NOTE #6



SURVEYOR'S CERTIFICATE

I, JEREMY LICHTENBERG, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT ON OR BEFORE 5/29/2025, I HAVE SURVEYED AND PLATTED, SD04 NEWPORT IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE WITHIN AND FOREGOING PLAT HAS BEEN PREPARED FOLLOWING GENERALLY ACCEPTED PROFESSIONAL STANDARDS FOR TITLE SURVEYS, ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S) AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION, EXPRESSED OR IMPLIED HEREIN IS INVALID WITHOUT THE ORIGINAL SIGNATURE OF "JEREMY LICHTENBERG".

DATED THIS 16th DAY OF JUNE, 2025.

Jeremy Lichtenberg
JEREMY LICHTENBERG
LS#9591

EDGE OF TILLABLE CROP

NEL1/4 33-126N-59W

N88°52'11"E
100.00'(C)

LEASE SPACE
10,000 SQ. FT. ±
(0.23 ACRES ±)

S88°52'11"W
100.00'(C)

**30.00' ACCESS /
UTILITY EASEMENT**
4,635 SQ. FT. ±
(0.11 ACRES ±)

NEL1/4 33-126N-59W

P.O.B.
LEASE SPACE

P.O.B.
30' PRIVATE ACCESS
EASEMENT

N88°52'11"E 154.50'(C)

S88°52'11"W 187.50'(C)

S88°52'11"W 154.50'(C)

REC. INST. #13
33.00' RIGHT-OF-WAY TO THE PUBLIC

E1/4 COR. 33-126N-59W
SET REBAR W/CAP
LS#9591

415TH AVENUE

SECTION LINE

A-2

23456789101112131415161718192021222324252627282930313233343536373839404142434445464748495051525354555657585960616263646566676869707172737475767778798081828384858687888990919293949596979899100101102103104105106107108109110111112113114115116117118119120121122123124125126127128129130131132133134135136137138139140141142143144145146147148149150151152153154155156157158159160161162163164165166167168169170171172173174175176177178179180181182183184185186187188189190191192193194195196197198199200201202203204205206207208209210211212213214215216217218219220221222223224225226227228229230231232233234235236237238239240241242243244245246247248249250251252253254255256257258259260261262263264265266267268269270271272273274275276277278279280281282283284285286287288289290291292293294295296297298299300301302303304305306307308309310311312313314315316317318319320321322323324325326327328329330331332333334335336337338339340341342343344345346347348349350351352353354355356357358359360361362363364365366367368369370371372373374375376377378379380381382383384385386387388389390391392393394395396397398399400401402403404405406407408409410411412413414415416417418419420421422423424425426427428429430431432433434435436437438439440441442443444445446447448449450451452453454455456457458459460461462463464465466467468469470471472473474475476477478479480481482483484485486487488489490491492493494495496497498499500501502503504505506507508509510511512513514515516517518519520521522523524525526527528529530531532533534535536537538539540541542543544545546547548549550551552553554555556557558559560561562563564565566567568569570571572573574575576577578579580581582583584585586587588589590591592593594595596597598599600601602603604605606607608609610611612613614615616617618619620621622623624625626627628629630631632633634635636637638639640641642643644645646647648649650651652653654655656657658659660661662663664665666667668669670671672673674675676677678679680681682683684685686687688689690691692693694695696697698699700701702703704705706707708709710711712713714715716717718719720721722723724725726727728729730731732733734735736737738739740741742743744745746747748749750751752753754755756757758759760761762763764765766767768769770771772773774775776777778779780781782783784785786787788789790791792793794795796797798799800801802803804805806807808809810811812813814815816817818819820821822823824825826827828829830831832833834835836837838839840841842843844845846847848849850851852853854855856857858859860861862863864865866867868869870871872873874875876877878879880881882883884885886887888889890891892893894895896897898899900901902903904905906907908909910911912913914915916917918919920921922923924925926927928929930931932933934935936937938939940941942943944945946947948949950951952953954955956957958959960961962963964965966967968969970971972973974975976977978979980981982983984985986987988989990991992993994995996997998999100010011002100310041005100610071008100910101011101210131014101510161017101810191020102110221023102410251026102710281029103010311032103310341035103610371038103910401041104210431044104510461047104810491050105110521053105410551056105710581059106010611062106310641065106610671068106910701071107210731074107510761077107810791080108110821083108410851086108710881089109010911092109310941095109610971098109911001101110211031104110511061107110811091110111111121113111411151116111711181119112011211122112311241125112611271128112911301131113211331134113511361137113811391140114111421143114411451146114711481149115011511152115311541155115611571158115911601161116211631164116511661167116811691170117111721173117411751176117711781179118011811182118311841185118611871188118911901191119211931194119511961197119811991200120112021203120412051206120712081209121012111212121312141215121612171218121912201221122212231224122512261227122812291230123112321233123412351236123712381239124012411242124312441245124612471248124912501251125212531254125512561257125812591260126112621263126412651266126712681269127012711272127312741275127612771278127912801281128212831284128512861287128812891290129112921293129412951296129712981299130013

1. THE SITE SURVEY AND EROSION CONTROL MEASURES AND DETAILS AS SHOWN HEREON AND STABILIZED WITHIN STATE STANDARDS SHALL BE FOLLOWED AND MODIFIED IN A MANNER SO AS TO MINIMIZE SEDIMENT LEAVING THE SITE.
2. PRIOR TO COMMENCING LAND DISTURBANCE ACTIVITY, THE LIMITS OF LAND DISTURBANCE SHALL BE CLEARLY AND ACCURATELY DEMARCATED WITH STAKES, RIBBONS, OR OTHER APPROPRIATE MEANS.
3. EROSION CONTROL DEVICES SHALL BE INSTALLED BEFORE GROUND DISTURBANCE OCCURS. THE LOCATION OF SOME OF THE EROSION CONTROL DEVICES MAY HAVE TO BE ALTERED FROM SHOWN ON THE APPROVED PLANS IF DRAINAGE PATTERNS DURING CONSTRUCTION ARE DIFFERENT FROM THE FINAL APPROVED DRAINAGE PATTERNS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCOMPLISH EROSION CONTROL MEASURES AND DEVICES AS SHOWN ON THE PLANS AND MAKE ANY CHANGES TO CONSTRUCTION ANY DIFFICULTY IN CONTROLLING EROSION DURING ANY PHASE OF CONSTRUCTION SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
4. THE LOCATION OF SOME OF THE EROSION CONTROL DEVICES MAY HAVE TO BE ALTERED FROM THAT SHOWN ON THE PLANS IF DRAINAGE PATTERNS ARE DIFFERENT FROM THE FINAL APPROVED DRAINAGE PATTERNS. ANY PHASE OF CONSTRUCTION SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
5. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES UNTIL PERMANENT VEGETATION IS ESTABLISHED. THE LOCATION OF ALL EROSION CONTROL MEASURES SHALL BE SHOWN ON ALL INSPECTED EROSION CONTROL MEASURES AT THE END OF EACH WORKING DAY TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL REMOVE ACCUMULATED SILT WHEN THE SILT IS WITHIN 12" OF THE TOP OF THE SILT FENCE.
7. FAILURE TO INSTALL, OPERATE OR MAINTAIN ALL EROSION CONTROL MEASURES WILL RESULT IN ALL CONSTRUCTION BEING STOPPED ON THE JOB SITE UNTIL SUCH MEASURES ARE CORRECTED.
8. SILT BARBERS TO BE PLACED AT DOWNSTREAM TOE OF ALL CUT AND FILL SLOPES.
9. ALL CUT AND FILL SLOPES MUST BE SURFACED ROUGHENED AND REVEGETED WITHIN SEVEN (7) DAYS OF THEIR COMPLETION.
10. CONTRACTOR SHALL REMOVE ALL EROSION & SEDIMENT CONTROL MEASURES AFTER COMPLETION OF CONSTRUCTION AND ESTABLISHMENT OF PERMANENT GRASS COVER.
11. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBANCE ACTIVITIES.

SPENDING GUIDELINES:

FINAL STABILIZATION OF ALL DISTURBED AREAS, UNLESS OTHERWISE NOTED, SHALL BE COMPLETED AND SETBACK. LOAM SHALL BE PLACED AT A MINIMUM COMPACTED DEPTH OF 4". RECOMMENDED SEEDING DATES FOR PERMANENT VEGETATION SHALL BE BETWEEN JUNE 15 THROUGH AUGUST 1 AND SEPTEMBER 15 THROUGH OCTOBER 15. TEMPORARY VEGETATIVE MEASURES SHALL CONSIST OF AN ANNUAL OR PERENNIAL RYE GRASS WITH RECOMMENDED SEEDING DATES BEING FROM JUNE 1 THROUGH AUGUST 15 AND SEPTEMBER 30 THROUGH NOVEMBER 30.

EVALUATE PROPOSED COVER MATERIAL:

BEFORE SPREADING COVER MATERIAL OVER THE DESIGNATED AREA, OBTAIN A REPRESENTATIVE SOIL SAMPLE AND SUBMIT TO A REPUTABLE SOIL TESTING LABORATORY FOR CHEMICAL AND PHYSICAL ANALYSIS. THE PRELIMINARY TEST IS NECESSARY TO DETERMINE THE REQUIRED INORGANIC AND/OR ORGANIC NUTRIENTS THAT ARE NEEDED TO ASSIST IN ESTABLISHING THE SEED MATRIOS IN AN ENVIRONMENTALLY AND ECONOMICALLY SOUND MANNER. THE RESULTS WILL GIVE THE COVER MATERIAL CHARACTERISTICS SUCH AS pH AND FERTILIZATION NEEDS. THESE RESULTS SHALL BE KEPT ON-SITE B THE CONTRACTOR AND AVAILABLE FOR REVIEW BY THE COUNTY.

SEED BED PREPARATION:

PROPOSED COVER MATERIAL SHOULD BE SPREAD EVENLY OVER THE SITE AREA IN A MINIMUM 4" LIFT VIA BUILDERS/BUCKET LOADER. USING THE INFORMATION FROM THE SOIL ANALYSIS, CAREFULLY CALCULATE THE QUANTITIES OF LIME/STONE AND PRE-PLANT FERTILIZER NEEDED PRIOR TO APPLYING. PRE-PLANT AMENDMENTS CAN BE APPLIED WITH A BROADCAST AND/OR DROP SEEDER AND INCORPORATED WITH AN ORTIST DISK, YOHAN RAKE, AND/OR HAND RAKE. AFTER INCORPORATION OF THE PRE-PLANT SOIL AMENDMENTS, THE SEED BED SHOULD BE SMOOTH AND FIRM PRIOR TO SEEDING. THE FOLLOWING SEED MIXTURES SHALL BE USED AS NOTED:

SEED MIXTURE:

SPECIES/VARIETY	LBS./ACRE
CREeping RED	20
FESCUE	20
KENTUCKY	5

SPEED TIME AND METHOD

THE PREFERRED TIME FOR SEEDING, THE COOL SEASON MIXTURE IS LATE SUMMER, SOIL AND AIR TEMPERATURES ARE IDEAL FOR SEED GERMINATION AND SEEDLING GROWTH. WEED COMPETITION IS REDUCED BECAUSE SEEDS OF MANY WEED SPECIES GERMINATE EASIER IN THE WARMER SEASON. ADDITIONALLY, HERBICIDE USE IS GREATLY REDUCED. HOWEVER, SEEDING MAY BE DONE AT ANY OF THE ABOVE NOTED TIMES.

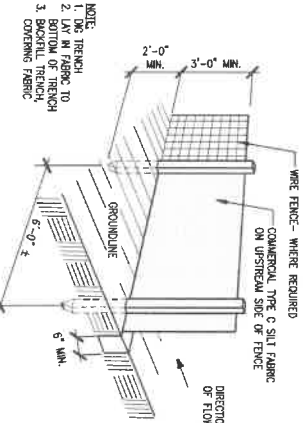
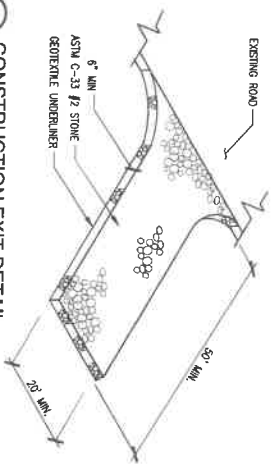
MULCHING:

NEWLY SEEDBEDS SHOULD BE MULCHED TO INSURE ADEQUATE MOISTURE FOR SUCCESSFUL THERMAL ESTABLISHMENT AND TO PROTECT AGAINST SURFACE MOVEMENT OF SEDIMENT-BOUND AGROCHEMICALS AND SOIL EROSION. IF MULCHING PROCEDURES ARE NOT SPECIFIED ON PLANS, APPLY GOOD QUALITY STRAW OR HAY AT A RATE OF 2 BALES/1000 SQ. FT. OTHER COMMERCIALY AVAILABLE MULCHES CAN BE USED.

CONSTRUCTION NOTES FOR FABRICATED SALT PENCE:


- [illegible]

2 SILT FENCE DETAIL



415TH AVE CLAREMONT, SD 57432	
SHEET CONTENTS:	
DRAINAGE, GRADING & EROSION CONTROL NOTES & DETAILS	
DRAWN BY:	NTS
CHECKED BY:	SJD
REV. A	07-29-25
REV. B	08-06-25
REV. C	08-12-25
REV. D	09-21-25
REV. E	09-25-25
REV. F	09-27-25

A-3



DESIGN

9871 VALLEY VIEW RD.
DEER PARK, NJ 07644
WWW.DESIGN-1.COM

HERZOG

1000
■ ■ ■
ENGINEERING

9871 VALLEY VIEW RD.
DEER PARK, NJ 07644
617-944-1234

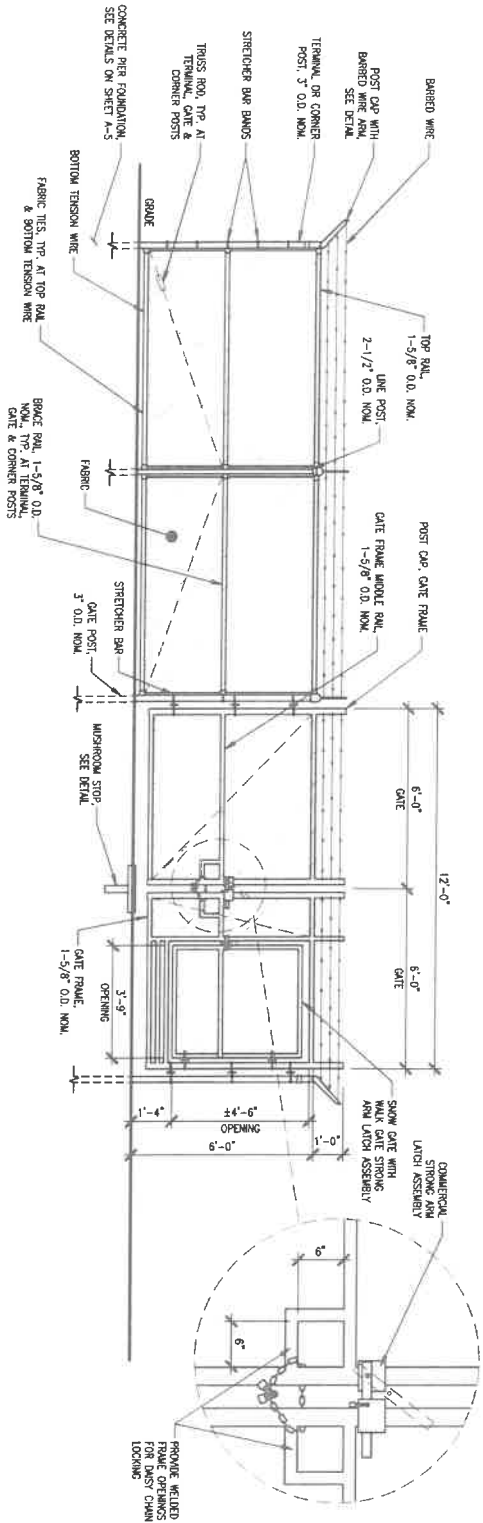
WWW.HERZOGENGINEERING.COM

verticalbridge

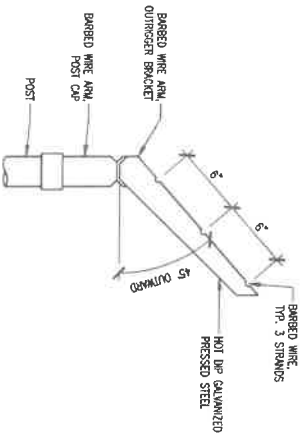
THE TOWERS, LLC

22 WEST ATLANTIC AVENUE, SUITE 310
DELRAY BEACH, FL 33444

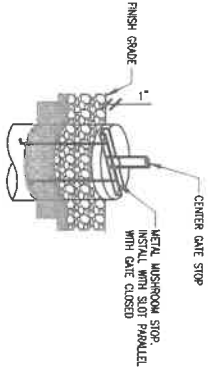
NOTE:
CONTRACTOR TO INSTALL NUTS
ON ALL BOLTS TOWARDS THE
INTERIOR OF THE COMPOUND



1 FENCE DETAIL
SCALE: 1/4" = 1'-0"



2 BARBED WIRE ARM DETAIL



3 MUSHROOM STOP DETAIL

vertical

THE TOWERS, LLC

22 WEST ATLANTIC AVENUE, SUITE 310
DELRAY BEACH, FL 33444

PREPARED FOR

HERZOG ENGINEERING

10830
JOSHUA
HERZOG
HERZOG ENGINEERING
10827/2025

REGISTERED PROFESSIONAL ENGINEER
FLORIDA
10830

10830
JOSHUA
HERZOG
HERZOG ENGINEERING
10827/2025

DESIGN

10830
JOSHUA
HERZOG
HERZOG ENGINEERING
10827/2025

PROJECT

US-SD-5078
FLUZE ID: 17028345

**US-SD-5078
NEWPORT**

415TH AVE
CLAREMONT, SD 57432

SHEET CONTENTS:

FENCE DETAILS

DRAWN BY: NTS

CHECKED BY: SJD

REV. A 07-29-25

REV. B 08-05-25

REV. C 08-12-25

REV. D 08-21-25

REV. E 08-25-25

REV. F 08-27-25

A4

PARENT TRACT

The Northeast Quarter (NE1/4) of Section 33, Township 126 North, Range 59 West of the 5th P.M., Marshall County, South Dakota.

30.00' ACCESS AND UTILITY EASEMENT

THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER;

THENCE S01°07'49"E (ASSUMED BEARING), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 721.73 FEET;

THENCE S88°52'11"W, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF 415th AVENUE AND THE POINT OF BEGINNING;

THENCE S01°07'49"E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET;

THENCE S88°52'11"W, A DISTANCE OF 154.50 FEET;

THENCE N01°07'49"W, A DISTANCE OF 30.00 FEET;

THENCE N88°52'11"E, A DISTANCE OF 154.50 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 4,635 SQUARE FEET OR 0.11 ACRES, MORE OR LESS.

LEASE AREA

THAT PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 126 NORTH, RANGE 59 WEST OF THE 5TH P.M., MARSHALL COUNTY, SOUTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER;

THENCE S01°07'49"E (ASSUMED BEARING), ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 721.73 FEET;

Does not include new tower height

THENCE S88°52'11"W, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 187.50 FEET TO THE POINT OF BEGINNING;

THENCE S01°07'49"W, A DISTANCE OF 65.00 FEET;

THENCE S88°52'11"W, A DISTANCE OF 100.00 FEET;

THENCE N01°07'49"W, A DISTANCE OF 100.00 FEET;

THENCE N88°52'11"E, A DISTANCE OF 100.00 FEET;

THENCE S01°07'49"E, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

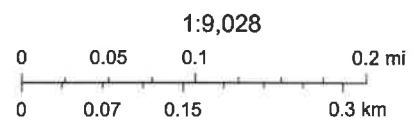
CONTAINING AN AREA OF 10,000 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

MARSHALL COUNTY WEB VIEWER

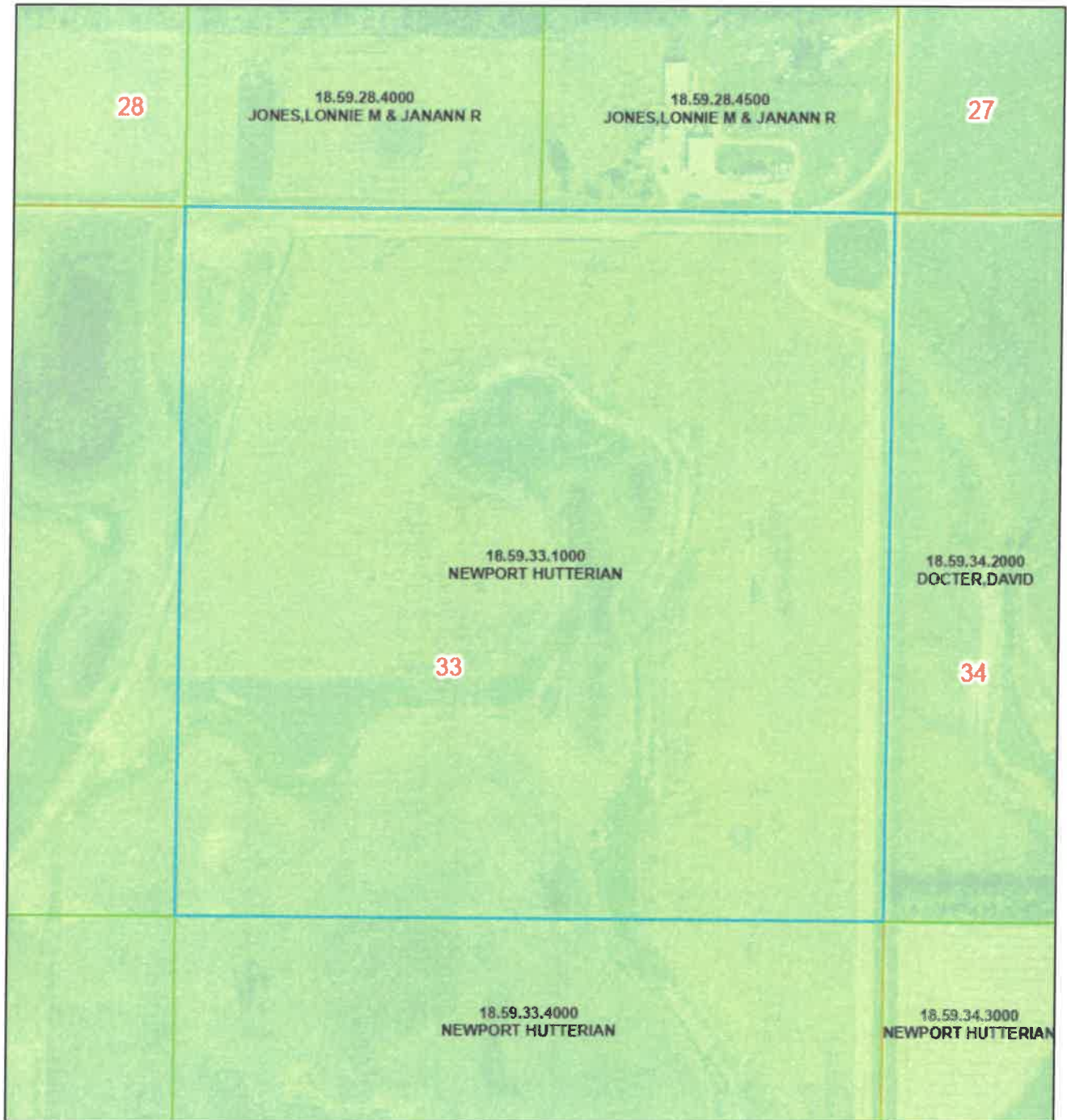


9/25/2025, 3:02:25 PM

- TOWNSHIPS
- SECTIONS
- PARCELS



MARSHALL COUNTY WEB VIEWER



9/25/2025, 3:03:44 PM

ZONING

Agricultural District

TOWNSHIPS

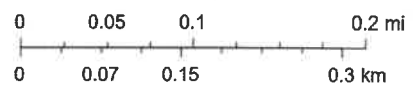


SECTIONS



PARCELS

1:9,028



Conditional Use – The Towers, LLC (Verizon)



