

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF CLARK)

CIRCUIT COURT
THIRDJUDICIAL CIRCUIT

CROCKER WIND FARM, LLC,

Petitioner,

vs.

THE CLARK COUNTY COMMISSION
AND THE CLARK COUNTY
COMMISSION ACTING AS THE CLARK
COUNTY BOARD OF ADJUSTMENT,

RESPONDENT.

**ORDER UPON PETITION FOR WRIT
OF CERTIORARI
(proposed)**

THE COURT having reviewed a Petition seeking Certiorari Relief under SDCL 11-2-61 and SDCL 11-2-62 et al; and the Court having reviewed said petition and finding that there exists good cause to believe that there may be merit to the Petition so filed; and further the Court being empowered to grant the relief requested under SDCL 11-2-61; and Petitioner being aggrieved as it believes that the Board of Adjustment for Clark County has acted in a way that is illegal, and exceeds the board's jurisdiction; and the Court finding that Petitioners have no other plain, speedy and adequate remedy, it is hereby

ORDERED that the Petition requesting certiorari relief be served upon the respondents Clark County Commission and Clark County Board of Adjustment, and it is further

ORDERED that the Clark County Board of Adjustment and Clark County Commission prepare a certified copy of the records as it pertains to the Conditional Use Permit grant on which the appeal and request for Certiorari relief is made; and it is further

ORDERED that the parties appear before the Court on Monday May 22, 2017, at the hour of 10:30 A.M. for the purpose of setting a scheduling order for how this matter shall be heard; and it is further

ORDERED that the County Commission and County Board of Adjustment prepare and file said record with the Clark County Clerk of Courts office no later than May 22, 2017; and it is further

ORDERED, that at if there were recordings made of any of the proceeding to be reviewed those recordings be filed with the Clark County Clerk of Courts and copies of the same provided to the other parties herein.

Dated this ____ of May, 2017.

BY THE COURT

Honorable Carmen Means

ATTEST:

Clerk of Courts