



RECEIVED  
CASS COUNTY COMMISSION

**MAY 2 2016**

**MEMORANDUM**

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Assistant County Engineer

TO: Cass County Board of Commissioners  
FROM: Hali A. Durand, Cass County Planner  
DATE: May 2, 2016  
SUBJECT: Consent Agenda Topic for the May 16, 2016  
Commission Meeting: Strand Subdivision

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The Cass County Planning Commission reviewed the subject subdivision located in Leonard Township, Section 25 at a Public Hearing on April 28, 2016. The intended use of the subdivision is to create one lot for residential development.

The Planning Commission is recommending approval of the new proposed plat. Leonard Township has indicated the plat has met their zoning requirement. Therefore, the Planning Commission recommendation is being forwarded to the Cass County Board of Commissioners for action.

**SUGGESTED MOTION:** To grant Final Plat approval for Strand Subdivision, Section 25, Township 137N, Range 52W, of the 5th Principal Meridian, Cass County, North Dakota.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

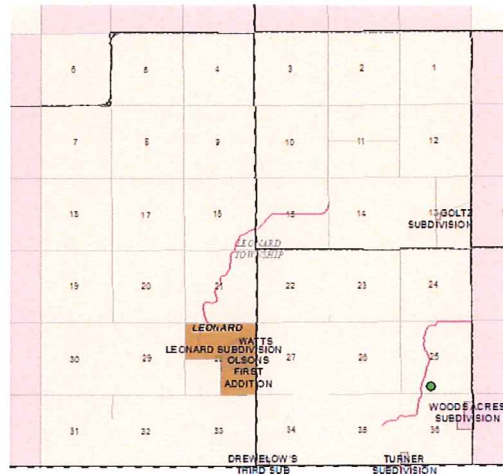
## Final Plat Report

**Title:** Strand Subdivision  
**Owner(s):** David & Deborah Strand  
**Applicant:** David Strand  
**Type of Request:** Minor Subdivision (1 lot)  
**Status:** Final Hearing at the April 28, 2016 Planning Commission Meeting

### Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in a part of the Southeast Quarter of the Southwest Quarter of Section 25 in Leonard Township to plat 1 lot for residential development. The said tract contains 3.00 acres of land, more or less. The subdivision (plat) will use public gravel roads, on-site septic sewer systems, ditches for storm sewer, and private well. The proposed plat is currently within an unmapped area therefore no flood determination has been made. According to the preliminary western cass flood study this area is within Zone X. No wetlands are present within the subject tract. The Maple River Tributary runs just west of the proposed plat.

### Vicinity Map:



**Existing and Proposed Land Use:** The existing land is and will remain Agricultural.

### Staff Analysis:

The proposed subdivision is located north of 53rd Street SE and west of County Road 9. The subject property is bound by agricultural land and a residential property to the west. The proposed use is consistent with County Ordinances. The Leonard Township Ordinance states that no more than 1 non-farm dwelling per quarter section is allowed. A deed restriction will need to be recorded for land up to forty acres. A private water supply system may be utilized if it is in accordance with the Subdivision Ordinance and all applicable state and federal regulations. A private water supply system well less than fifty (50) feet in depth shall not be less than one hundred (100) horizontal feet from any on-site sanitary wastewater treatment system. A private or on-site water supply system well greater than fifty (50) feet in depth shall not be less than fifty (50) horizontal feet from any on-site sanitary wastewater treatment system.

**Agency Comments**

Cass County Engineer	There are no concerns.
Water Resource District	There are no comments to submit.
Cass County Electric Cooperative	CCEC currently has an overhead line on the south side of the road from the described plat location. If electric service is needed an easement would be needed to serve the site.
Century Link	No comment.
Xcel Energy (Gas Company)	No comment.
Cass Rural Water	The applicant has individual that they wish to construct a private well. Consequently, we have no comment as we have no waterlines within ½ mile of this particular site.
County Sanitarian	A soil test will be needed.
Township Chairman	There are no concerns.
Public Comment	No comments have been submitted.

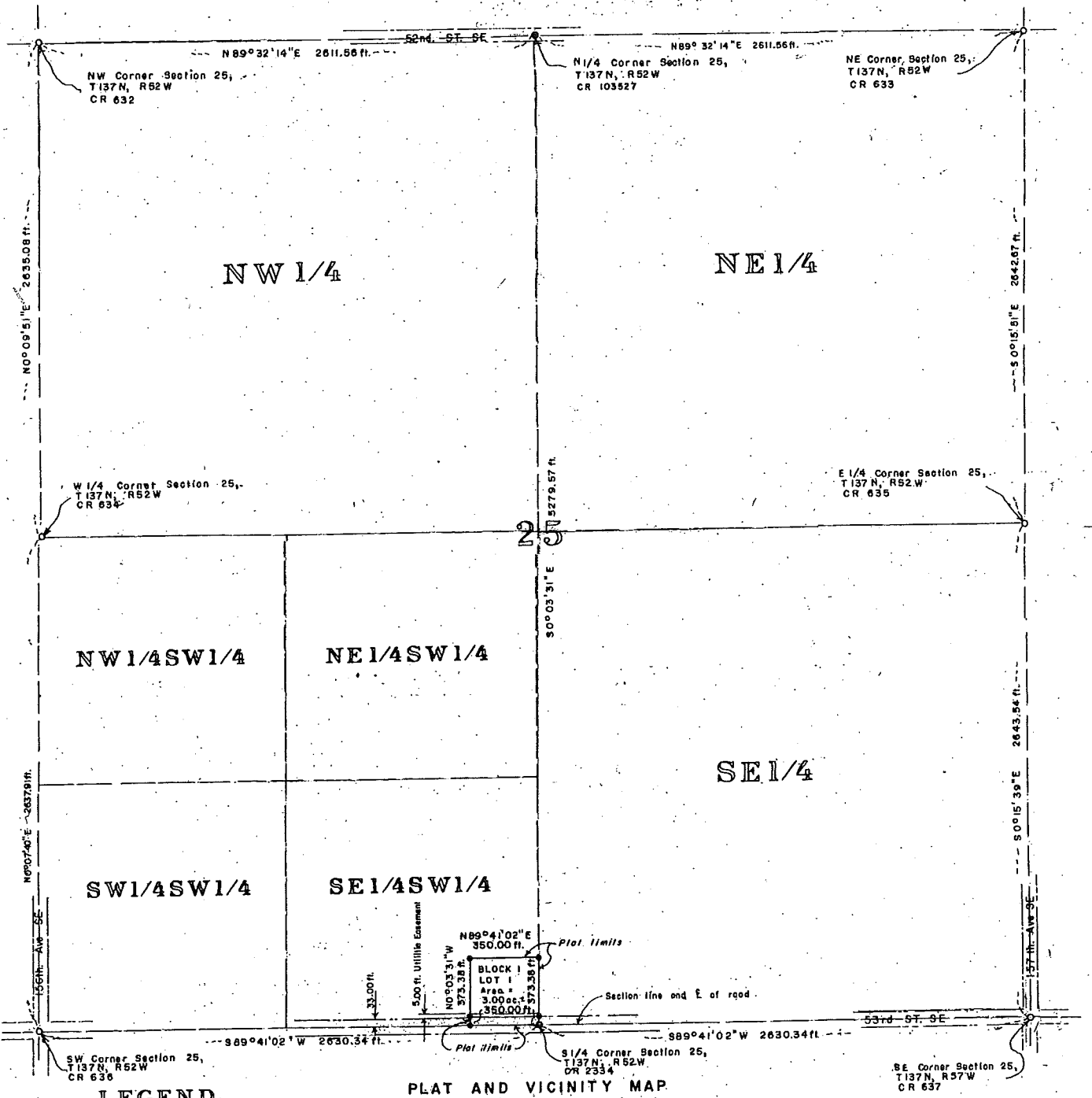
Final plat would need to include all the requirements for final plat, plus the following:

1. Deed Restriction

**Recommendation:**

To approve the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and applicable Township Ordinances.

**PLAT OF  
STRAND SUBDIVISION**  
A PART OF THE SE1/4 OF THE SW1/4 OF SECTION 25,  
TOWNSHIP 137 NORTH, RANGE 52 WEST OF THE 5TH. P.M.,  
LEONARD TOWNSHIP, CASS COUNTY, NORTH DAKOTA



**LEGEND**  
 ● = Corner marked by a 1/2" iron with cap marked T137 N, R52 W  
 ○ = Recovered existing iron monument  
 CR = Corner Record-Document Number  
 Note: All bearings are based on WGS 84.

**PLAT AND VICINITY MAP**  
 Scale: 1 inch = 400 feet

**OWNER'S CERTIFICATE**

KNOW ALL MEN BY THESE PRESENTS that David Strand and Deborah Strand, husband and wife whose post office address is 15623 - 53<sup>rd</sup> Street SE, Kindred, ND 58501, are the owners and proprietors of the Southeast Quarter of the Southwest Quarter of Section 25, Township 137 North, Range 52 West of the Fifth Principal Meridian, Leonard Township, Cass County, North Dakota.

That they have caused the above described tract of land to be surveyed and a portion thereof platted as STRAND SUBDIVISION in the above noted Section, Township, County and State, said portion described as follows;

All that part of the Southeast Quarter of the Southwest Quarter of Section 25, Township 137 North, Range 52 West of the Fifth Principal Meridian, Leonard Township, Cass County, North Dakota described as follows:

Beginning at the South Quarter Corner of said Section 25 (Corner Record No. 2334); thence on an assumed bearing of South 89 degrees 41 minutes 02 seconds West on and along the south line of said Section 25 a distance of 350.00 feet; thence North 0 degrees 03 minutes 31 seconds West a distance of 373.38 feet; thence North 89 degrees 41 minutes 02 seconds East a distance of 350.00 feet to the east line of said Southeast Quarter of the Southwest Quarter of Section 25; thence South 0 degrees 03 minutes 31 seconds East on and along said east line a distance of 373.38 feet to the point of beginning.

The above described tract contains 3.00 acres more or less, and is subject to the existing public right of way of 53<sup>rd</sup> Street SE over and across its most southerly side.

and do hereby dedicate to the public, for public use the utility easement as shown thereon being the north 5 feet of the south 38 feet of said platted tract, and also acknowledge and rededicate to the public the existing public road right of way of 53<sup>rd</sup> Street SE over and across its most southerly 33 feet.

David Strand Deborah Strand

STATE OF NORTH DAKOTA )  
 ) SS.  
 County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a notary public within and for said County and State, personally appeared David Strand and Deborah Strand, known to me to be the persons who are described in and who executed the within instrument and acknowledge to me that they executed the same as their free act and deed.

Notary Public

**SURVEYOR'S CERTIFICATE**

I Russell E. Kastelle, a duly Registered Land Surveyor under the laws of the State of North Dakota, do hereby certify that the herein plat is a true and correct representation of the survey and subdivision of the lands herein depicted, that all distances shown on said plat are correct, that the monuments shown have been correctly placed in the ground, and that the field survey for this subdivision was completed on the 23<sup>rd</sup> day of March, 2016.

Russell E. Kastelle,  
 North Dakota Registered Land  
 Surveyor No. 1170

STATE OF MINNESOTA )  
 ) SS.  
 County of Wilkin )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me a notary public, personally appeared Russell E. Kastelle, to me known to be the person described in, and who executed the above certificate as a free act and deed.

Notary Public

**LEONARD TOWNSHIP APPROVAL**

Approved by Leonard Township, Cass County, North Dakota this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Mark Neseleiter, Chairman

**CASS COUNTY ENGINEER APPROVAL**

Approved by the Cass County, ND Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Jason Benson, Cass County Engineer

**CASS COUNTY PLANNING COMMISSION APPROVAL**

Approved by the Cass County, ND Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Ken Lougheed, Chairman

Attest:  
 Secretary

**CASS COUNTY COMMISSION APPROVAL**

Approved by the Board of Cass County Commissioners and ordered filed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Mary Scherling, Chair

Attest:  
 Michael Montplaisir, Cass County Auditor

**COUNTY RECORDERS CERTIFICATE**

STATE OF NORTH DAKOTA )  
 ) SS.  
 Cass County, North Dakota )

County Recorders's Office

I hereby certify that the within instrument was filed in this office for record on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2016 at \_\_\_\_\_ o'clock \_\_\_\_\_ and was duly recorded in Book \_\_\_\_\_ Page \_\_\_\_\_

Cass County Recorder



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CASS COUNTY COMMISSION  
MAY 2 2016

## MEMORANDUM

### Highway Department

Jason Benson, P.E.  
County Engineer

Richard S. Sieg  
Superintendent

Thomas B. Soucy, P.E.  
Assistant County Engineer

TO: Cass County Board of Commissioners  
FROM: Hali A. Durand, Cass County Planner  
DATE: May 2, 2016  
SUBJECT: Consent Agenda Topic for the May 16, 2016  
Commission Meeting: Nelson Hest Subdivision

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The Cass County Planning Commission reviewed the subject subdivision located in Gill Township, Section 9 at a Public Hearing on April 28, 2016. The intended use of the subdivision is to create one lot for residential development.

The Planning Commission is recommending approval of the new proposed plat. Gill Township has indicated the plat has met their zoning requirement. Therefore, the Planning Commission recommendation is being forwarded to the Cass County Board of Commissioners for action.

**SUGGESTED MOTION:** To grant Final Plat approval for Nelson Hest Subdivision, Section 9, Township 139N, Range 53W, of the 5th Principal Meridian, Cass County, North Dakota.

1201 Main Avenue West  
West Fargo, North Dakota  
58078-1301

701-298-2370  
Fax: 701-298-2395

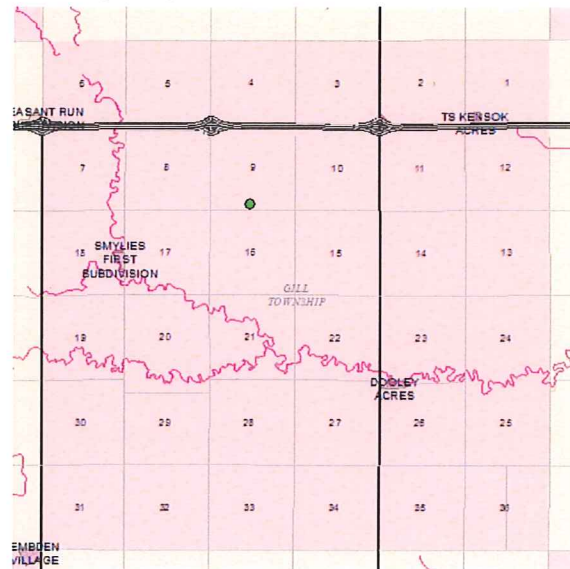
## Final Plat Report

**Title:** Nelson Hest Subdivision  
**Owner(s):** Nancy J Schroeder  
**Applicant:** Brett Ryan Nelson  
**Type of Request:** Minor Subdivision (1 lot)  
**Status:** Final Hearing at the April 28, 2016 Planning Commission Meeting

### Proposal:

An application for a Minor Subdivision (plat) has been received by the Cass County Planning Office for approval of a tract of land located in an unplatted portion of land located in the Southwest Quarter of Section 9 in Gill Township to plat 1 lot for residential development. The said tract contains 10.00 acres of land, more or less. The subdivision (plat) will use private gravel roads, ditches for storm sewer, public rural water, and on-site septic sewer systems. The proposed plat is currently within an unmapped area therefore no flood determination has been made. Wetlands are present within 575+ feet from the proposed property boundary.

### Vicinity Map:



### Existing and Proposed Land Use:

The existing land is and will remain A-1, Agricultural.

### Staff Analysis:

The proposed subdivision is located north of 38th Street SE and east of 147th Avenue SE. The subject property is bound by agricultural land. The proposed use is consistent with County Ordinances. The Gill Township Ordinance states that no more than 2 dwellings are allowed per quarter section. A deed restriction will need to be recorded for land up to forty acres.

**Agency Comments:**

Cass County Engineer	There are no issues.
Water Resource District	There are no comments to submit.
Cass County Electric Cooperative	CCEC currently has an overhead line running on the north side of 38th Avenue SE through the described plat.
Century Link	No comments have been received.
Xcel Energy (Gas Company)	No comments have been received.
Cass Rural Water	A review of the proposed subdivision has been completed. There is a water line that runs along the south side of the property from which water service could be provided. A 2" pipe from the main to the curb stop and a 1" poly pipe from the curb stop to the service location will be required. At this time no application for service has been received.
County Sanitarian	A soil test will be needed.
Township Chairman	No comments have been received.
Public Comment	No comments have been received.

Final plat would need to include all the requirements for final plat, plus the following:

1. Deed Restriction

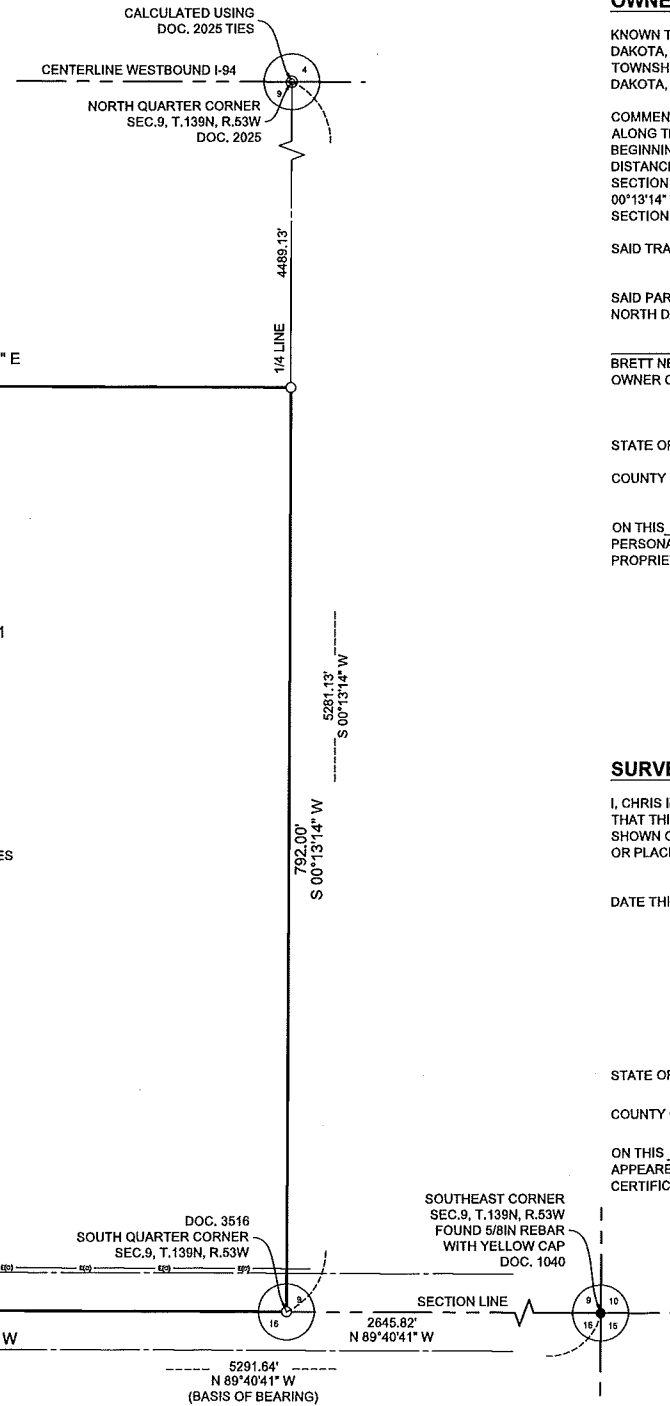
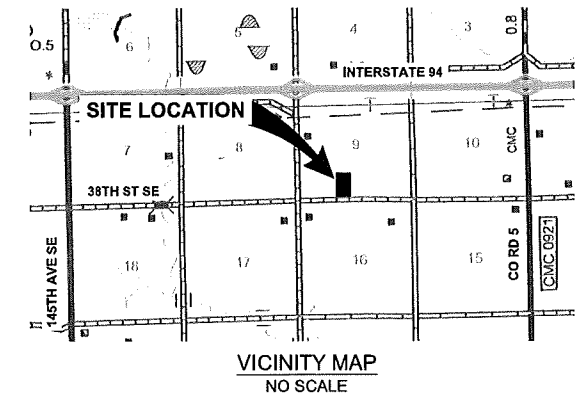
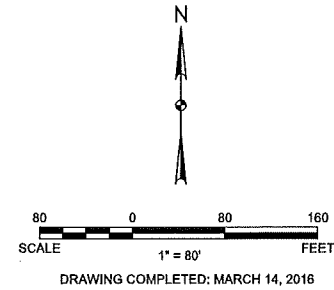
**Recommendation:**

To approve the Final Plat as presented as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and applicable Township Ordinances.

# NELSON HEST SUBDIVISION

(A MINOR SUBDIVISION)

AN UNPLATTED PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 53 WEST, FIFTH PRINCIPAL MERIDIAN, GILL TOWNSHIP, CASS COUNTY, NORTH DAKOTA



### OWNER'S CERTIFICATE

KNOWN TO ALL MEN BY THESE PRESENTS, BRETT NELSON, WHOSE ADDRESS IS 509 10 AVE. NORTH, CASSELTON, NORTH DAKOTA, IS THE OWNER OF A TRACT OF LAND LOCATED IN THAT PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 9, TOWNSHIP 139 NORTH, RANGE 53 WEST OF THE FIFTH PRINCIPAL MERIDIAN, GILL TOWNSHIP, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE S 89°40'41" E, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 9, A DISTANCE OF 2095.82 FEET TO THE POINT OF BEGINNING; THENCE N 00°13'14" E, PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 9, A DISTANCE OF 792.00 FEET; THENCE S 89°40'41" E, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 9, A DISTANCE OF 550.00 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE S 00°13'14" W, ALONG SAID EAST LINE, A DISTANCE OF 792.00 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 9; THENCE N 89°40'41" W, ALONG SAID SOUTH LINE, A DISTANCE OF 550.00 FEET TO THE SAID POINT OF BEGINNING.

SAID TRACT CONTAINS 10.00 ACRES MORE OR LESS.

SAID PARTY HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS NELSON HEST SUBDIVISION IN CASS COUNTY, NORTH DAKOTA.

BRETT NELSON  
OWNER OF LOT 1, BLOCK 1, NELSON HEST SUBDIVISION

STATE OF NORTH DAKOTA )  
  )SS  
COUNTY OF \_\_\_\_\_ )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, BRETT NELSON, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE FOREGOING PROPRIETOR'S CERTIFICATE, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC  
CASS COUNTY, NORTH DAKOTA

### SURVEYOR'S CERTIFICATE

I, CHRIS INGERSOLL, REGISTERED LAND SURVEYOR, UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY OF SAID SUBDIVISION; THAT THE DISTANCES SHOWN ON SAID PLAT ARE CORRECT; THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN LOCATED OR PLACED IN THE GROUND AS SHOWN.

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
CHRIS INGERSOLL  
REGISTERED LAND SURVEYOR  
NORTH DAKOTA NO. 8887

STATE OF NORTH DAKOTA )  
  )SS  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED CHRIS INGERSOLL, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC  
CASS COUNTY, NORTH DAKOTA

**NOTE:**  
SURVEY IS BASED ON A LOCAL SITE, US SURVEY FEET.  
DISTANCES SHOWN ARE GROUND DISTANCES.

SAID TRACT OF LAND IS SUBJECT TO ANY EASEMENT RESTRICTIONS OR RESERVATIONS, EITHER EXISTING OR RECORD.  
BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

### LEGEND

- FOUND MONUMENT
- 5/8IN REBAR WITH 2IN AC LS 8887 CAP SET
- ⊙ CALCULATED CORNER

**FLOOD PLAIN STATEMENT:**  
THERE ARE NO PUBLISHED FEMA FLOOD PLAIN MAPS FOR GILL TOWNSHIP, CASS COUNTY, NORTH DAKOTA.

**ENGINEER:**  
KLJ  
1505 30TH AVE. S,  
MOORHEAD, MINNESOTA 56560

**OWNER:**  
BRETT NELSON  
509 10 AVE. NORTH  
CASSELTON, NORTH DAKOTA 58012

### CASS COUNTY ENGINEER:

REVIEWED BY THE CASS COUNTY ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
JASON BENSON, CASS COUNTY ENGINEER

ATTEST: \_\_\_\_\_  
SECRETARY

### CASS COUNTY PLANNING COMMISSION:

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
KEN LOUGHEED, CHAIRMAN

ATTEST: \_\_\_\_\_  
SECRETARY

### GILL TOWNSHIP:

REVIEWED BY GILL TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
KEITH SCHATZKE, CHAIRMAN

ATTEST: \_\_\_\_\_  
CLERK

### CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL

APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
MARY SCHERLING, CHAIRWOMAN

ATTEST: \_\_\_\_\_  
MICHAEL MONTPLAISIR, CASS COUNTY AUDITOR

