

RECEIVED
CASS COUNTY COMMISSION

OCT 31 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: October 28, 2016
SUBJECT: Consent Agenda Topic for the November 7, 2016
Commission Meeting: TJ Acres Subdivision

The Cass County Planning Commission reviewed the subject subdivision located in Davenport Township, Section 20 at a Public Hearing on October 27, 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. Davenport 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 TJ Acres Subdivision, Section 20, Township 137N, Range 51W, 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: TJ Acres Subdivision
Owner(s): Gerald and Shirlee Lahren
Applicant: Jennifer Fallon
Type of Request: Minor Subdivision (1 lot)
Status: Final Hearing at the October 27, 2016 Planning Commission Meeting

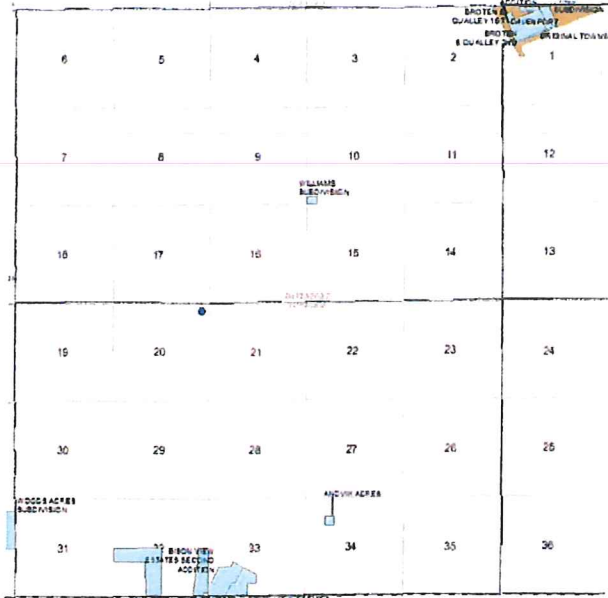
Proposal:

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 part of the Northeast Quarter of Section 20 in Davenport Township to plat 1 lot for residential development. The said tract contains 4.92 acres of land, more or less. The subdivision (plat) will use public gravel roads, public rural water, on-site septic sewer systems, and ditches for storm sewer conveyance.

Existing and Proposed Land Use:

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

Vicinity Map:



Staff Analysis:

According to FEMA’s National Flood Hazard Layer, the proposed plat is currently within Zone X as per Panel Number 38077C0050D effective 12/18/09. As per the preliminary Western Cass Flood Study, this area will remain in Zone X. No wetlands or waterways are present as well. The proposed subdivision is located south of County Road 36 and east of 159th Ave SE and is bound by agricultural land. The proposed use is consistent with County and Township Ordinances.

Agency Comments:

Water Resource District	The Maple River Water Resource District has no comment to submit.
Century Link	The plat is acceptable.
County Sanitarian	The search of our records does not show any soil tests done for this property or any septic permits having been issued for this property. A soil test would need to be completed.
NDDOT	NDDOT has no concerns with the subdivision application.
Cass County Electric Cooperative	CCEC has no issues with the proposed plat.

Conditions for Approval:

Along with the Final Plat, requirements would also include: a Deed Restriction of land up to forty acres; an approved access permit along County Road 36; and a copy of the soil test for an on-site septic system.

Recommendation:

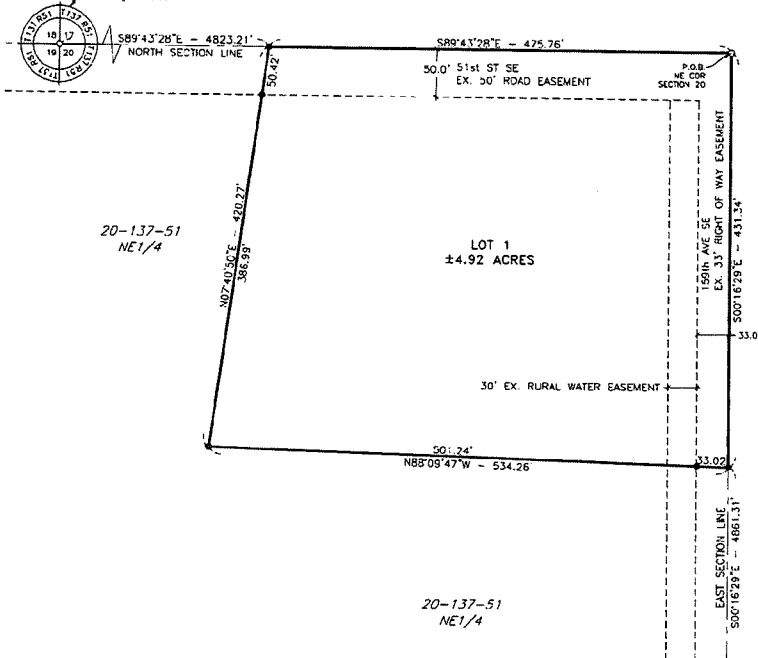
To approve the Final Plat as presented, with the conditions for approval, as it meets the goals and objectives of the Cass County Comprehensive Plan, the Cass County Highway Access Plan, the Flood Damage Prevention Ordinance, the Cass County Subdivision Ordinance, and applicable Township Ordinances.

TJ ACRES SUBDIVISION

(A MINOR SUBDIVISION)

PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 137 NORTH, RANGE 51 WEST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF CASS, STATE OF NORTH DAKOTA

ND CORNER RECORD
DOC #109568



20-137-51
NE1/4

LOT 1
±4.92 ACRES

20-137-51
NE1/4

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT GERALD LAHREN AND SHIRLEE LAHREN, HUSBAND AND WIFE, OF KINDRED, NORTH DAKOTA, ARE THE OWNERS OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 137 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 20; THENCE S00°16'29\"/>

SAID OWNERS HAVE CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS TJ ACRES SUBDIVISION TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA. SAID TJ ACRES SUBDIVISION, CONSISTS OF ONE LOT AND CONTAINS 4.92 ACRES, MORE OR LESS.

BY: GERALD LAHREN

BY: SHIRLEE LAHREN

STATE OF _____
COUNTY OF _____

BE IT KNOWN ON THIS _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED GERALD AND SHIRLEE LAHREN, HUSBAND AND WIFE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION OF THE SAME AS A FREE ACT AND DEED.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

SURVEYOR'S CERTIFICATE

I, COLE A. NESET HEREBY CERTIFY THAT THIS SURVEY, PLAN AND/OR REPORT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.

COLE A. NESET
REGISTERED LAND SURVEYOR No. LS-7513
STATE OF NORTH DAKOTA

DATE _____

STATE OF _____
COUNTY OF _____

BE IT KNOWN ON THIS _____ DAY OF _____, 2016, BEFORE ME PERSONALLY APPEARED COLE A. NESET, NORTH DAKOTA REGISTERED LAND SURVEYOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION OF THE SAME AS A FREE ACT AND DEED.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

CASS COUNTY ENGINEER

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

JASON BENSON, CASS COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION

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

KEN LOUGHEED, CHAIRMAN

ATTEST: _____
SECRETARY

DAVENPORT TOWNSHIP

REVIEWED BY DAVENPORT TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2016.

VERNON TILBERT, CHAIRMAN

ATTEST: _____
JON ERIKSSON, CLERK

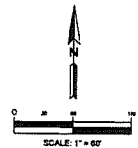
CASS COUNTY BOARD OF COMMISSIONER'S APPROVAL

REVIEWED BY CASS COUNTY, NORTH DAKOTA THIS _____ DAY OF _____, 2016.

MARY SCREEDING, CHAIRWOMAN

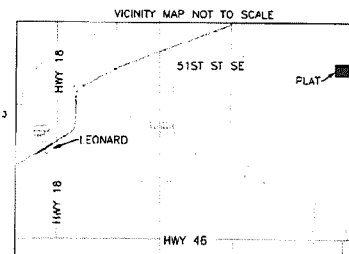
ATTEST: _____
MICHAEL WONTPLASIR, CASS COUNTY AUDITOR

SHEET 1 OF 1
FOR RECORDING PURPOSES



LEGEND

- PROPERTY PIN FOUND
- PROPERTY PIN PLACED - RLS No.7513
- P.C.B.
- PARCEL BOUNDARY LINE
- - - - - EASTING PROPERTY LINE
- CASSEMENT LINE





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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: October 28, 2016
SUBJECT: Consent Agenda Topic for the November 7, 2016
Commission Meeting: Lone Oak Farm II Subdivision

The Cass County Planning Commission reviewed the subject subdivision located in Normanna Township, Section 11 at a Public Hearing on October 27, 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. Normanna 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 Lone Oak Farm II Subdivision, Section 11, Township 137N, Range 50W, 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: Lone Oak Farm II Subdivision
Owner(s): James and Heidi Hoy
Applicant: James and Heidi Hoy
Type of Request: Minor Subdivision (1 lot)
Status: Final Hearing at the October 27, 2016 Planning Commission Meeting

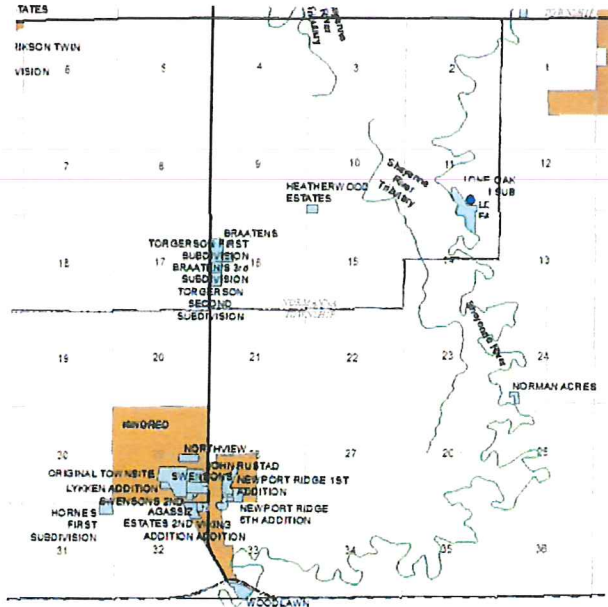
Proposal:

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 part of the South Half of the Southeast Quarter of Section 11 in Normanna Township to plat 1 lot for residential development. The said tract contains 4.80 acres of land, more or less. The subdivision (plat) will use private gravel roads, public rural water, on-site septic sewer systems, and ditches for storm sewer conveyance.

Existing and Proposed Land Use:

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

Vicinity Map:



Staff Analysis:

According to FEMA's National Flood Hazard Layer, the proposed plat is currently within Zone X as per Panel Number 38077C0100D effective 12/18/09. As per the preliminary Western Cass Flood Study, this area will remain in Zone X. Wetlands are designated along the course of the Sheyenne River. The proposed subdivision is located north of 50th St SE and west of County Road 36 and is bound by agricultural land. The proposed use is consistent with County and Township Ordinances.

Agency Comments:

Water Resource District	The Southeast Cass Water Resource District has no comment to submit.
Century Link	This application is acceptable.
County Sanitarian	A soil test has already been done for Lot 1, Block 1 of Lone Oak Farm II Subdivision. The soil report allows for the installation of an on-site septic sewage treatment system in this soil. The report has been submitted to the Planning Office.
NDDOT	NDDOT has no concerns with this subdivision application.
Cass County Electric Cooperative	CCEC has no issues with the plat.

Conditions for Approval:

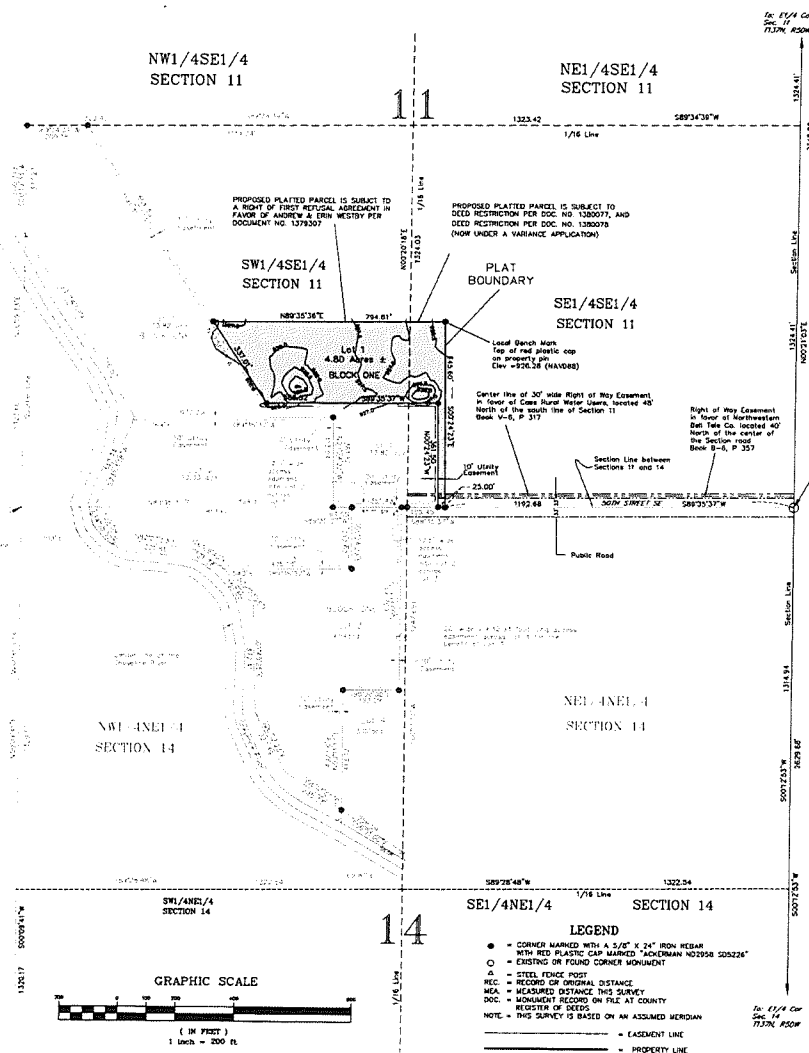
Along with the Final Plat, requirements would also include: a Declaration of Expiration of Deed Restriction by the Cass County Engineer and a Deed Restriction of Lot 1, Block 1 of Lone Oak Farm Subdivision.

Recommendation:

To approve the Final Plat as presented, with the conditions for approval, 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.

LONE OAK FARM II SUBDIVISION

A part of the South Half of the Southeast Quarter of Section 11,
Township 137 North, Range 50 West of the Fifth Principal Meridian,
Normanna Township, Cass County, North Dakota



In 1/4 Cor
Sec 11
T137N R50W

SE Cor Sec. 11
NE Cor Sec. 14
T137N R50W
Rac No. 1533

In 1/4 Cor
Sec. 14
T137N R50W

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, that Martin G. Jr. Kruse and Karen Kruse, whose address is 1708 23th Ave S., Apt 234, Fargo, North Dakota, 58103, are the owners of a tract of land located in the South Half of the Southeast Quarter (SE1/4SE1/4) of Section 11, Township 137 North, Range 50 West of the 5th Principal Meridian, Cass County, North Dakota, and more particularly described as follows:

Containing all the non monument marking the southeast corner of said Section 11, (Lone Oak Farm II Subdivision) Record No. 1533, thereon an assumed bearing of South 89°30'37" West, on and along the south line of said Section 11, a distance of 1192.66 feet to the Point of BEGINNING, thence continuing South 89°30'37" West, along said section line, a distance of 25.00 feet to the southeast corner of Lot 1, Block One, Lone Oak Farm II Subdivision, thence North 00°42'27" West, perpendicular from the last described line, a distance of 39.50 feet to the northeast corner of said Lot 1, thence South 89°30'37" West parallel with the south line of said Section 11, a distance of 588.52 feet to an angle point on the east line of Lot 1, Block One Lone Oak Farm Subdivision, thence North 32°54'28" West along the east line of said Lot 1, a distance of 337.01 feet, thence North 00°37'25" East a distance of 748.81 feet, thence South 00°24'27" East a distance of 643.89 feet to the point of beginning, containing 4.80 acres, more or less, and subject to the statutory right of way for public road purposes 33 feet wide along section line restrictions, and rights of way of record.

Said owners have caused the above described tract of land to be surveyed and platted on LONE OAK FARM II SUBDIVISION in the County of Cass and the State of North Dakota.

MARTIN G. JR. KRUSE AND KAREN KRUSE
OWNERS OF LOT 1, BLOCK ONE, LONE OAK FARM II SUBDIVISION

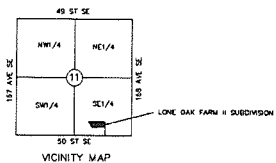
Martin G. Jr. Kruse Karen Kruse

STATE OF NORTH DAKOTA }
 } ss
COUNTY OF CASS

On this ____ day of _____, 2016, before me, a notary public, with and for said county, personally appeared Martin G. Jr. Kruse and Karen Kruse, husband and wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as a free act and deed.

Notary Public
My commission expires _____ 20____

FLOOD STATEMENT
100 YEAR BASE FLOOD ELEVATION = 925.6 (NOV020)
SOURCE: FLOOD INSURANCE RATE MAP DATED 9-25-1987
PANEL NO. 380254 (0108), PANEL TO BE 10
DENOM MARK USED: 187RK WITH ELEVATION 948.3 (NOV020)
ACCORDING TO THE FLOOD INSURANCE RATE MAP THE PROPOSED PLATTED AREA FALLS IN ZONE AE, BY SURVEY THE AREA FALLS IN ZONE X.
IT IS FURTHER NOTED THAT THE PRELIMINARY NEW VERSION OF THE FIRM, DATED 1-29-2016, PANEL NO 555, MAP NO. 3807C055H INDICATED THE PROPOSED PLATTED AREA IS OUTSIDE THE BASE FLOOD AREA.



Existing assessments of record within the area being platted:

1. Right of Way Easement to Northwestern Bell Telephone Co. in Book D-1 of Misc. page 337
2. Right of Way Easement to Cass Rural Water Users, Inc in Book V-6 of Misc. page 317

OWNER/DEVELOPER: MARTIN G. JR. KRUSE AND KAREN KRUSE, HUSBAND AND WIFE, 1708 23TH AVE S. APT 234, FARGO, ND 58103
THERE ARE NO CALCULATIONS BEING CREATED OR DEDICATED AS A RESULT OF THIS PLATTING.

COUNTY ENGINEER REVIEW

Approved by Cass County Engineer this ____ day of _____ 2016.

Josh Benson, Cass County Engineer

NORMANNA TOWNSHIP REVIEW

Reviewed by Normanna Township, Cass County, North Dakota this ____ day of _____ 2016.

Chairman _____

Attest: Clerk _____

CASS COUNTY COMMISSION APPROVAL

Approved by the Board of County Commissioners and ordered filed this ____ day of _____ 2016.

Chairman _____

Attest: Michael Montpierre, Cass County Auditor

CASS COUNTY PLANNING COMMISSION REVIEW

Reviewed by the Cass County Planning Commission this ____ day of _____ 2016.

Ken Lougheed, Chair

Attest: Secretary _____

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGMENT

I, Steven A. Ackerman, 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 quittance of future surveys have been located or placed in the ground as shown.

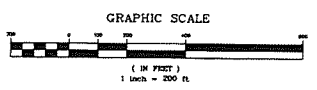
Dated this ____ day of _____ 2016.

Steven A. Ackerman, Registered Land Surveyor

STATE OF NORTH DAKOTA }
 } ss
COUNTY OF WOODLAND

On this ____ day of _____ 2016, before me, a notary public, with and for said county, personally appeared Steven A. Ackerman, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same.

Notary Public
My commission expires _____ 20____



Steven A. Ackerman
171 South 2nd St.
Bismarck, ND 58502
Phone: 701-242-8606
Fax: 701-242-8810