



## Auditor

Michael Montplaisir, CPA  
701-241-5600  
montplaisirm@casscountynnd.gov

September 25, 2017

Board of County Commissioners  
Cass County Government  
211 9<sup>th</sup> Street South  
Fargo ND 58103

Re: Transfer of Tax Sale Lots, County Purchased Lots and Request FEMA  
Permission to Transfer Lots Purchased with FEMA Funds

Dear Commissioners:

This item was discussed at the August 21, 2017 meeting of the Flood Lot Lease Committee. The committee approved to forward a recommendation to the County Commission with the following motion: Mrs. Scherling moved and Mr. Montplaisir seconded to work with the Fargo Park District to transfer county-owned FEMA and tax-forfeited lots in Chrisan Glen, Forest River, and Heritage Hills Subdivisions.

The process would be similar to what was used in 2015. The county first transferred county-owned lots acquired through tax-forfeiture or through a purchase, and then asked FEMA through the North Dakota Department of Emergency Services. The transfer of the county-owned lots shows FEMA that Cass County is committed to creating a unified nature park area in conjunction with the Fargo Park District. The Fargo Park District would need to confirm that they will accept and comply with all FEMA grant guidelines, The Stafford Act requirements have to be included as an attachment to the deeds for the FEMA lots.

The lots in Chrisan Glen Subdivision are adjacent to lots the county has already transferred and are the last lots owned by Cass County in that subdivision. They are all FEMA acquired lots, and the grants used to purchase these lots are closed. There are still four parcels owned by private parties (a twin home) located at the west end of the subdivision. A map (Attachment A) shows the six parcels the county would request FEMA to allow us to transfer to the Fargo Park District.

The lots in Forest River and Forest River 2<sup>nd</sup> are all FEMA acquired lots and are west of the area we have previously deeded to the Fargo Park District. We would retain three lots at the west end of Forest River that Cass County acquired with County Highway Department funds as a possible future route for a bridge across the Red River. There would still be four lots (with two houses) that are privately owned in these two subdivisions. A map (attachment B) shows the 29 parcels we would request FEMA to allow us to transfer to the Fargo Park District.

The lots in Heritage Hills Estates Subdivision are a combination of tax forfeiture, lots purchased with county funds, and FEMA acquired lots. The tax forfeiture lot is land where the subdivision pump station was located and was forfeited by the Heritage Hills Homeowners Association in 2015. The county purchased parcels are lots purchased in 2012 (Lot 4 Block 1) from Douglas Stensgard and Troy Shannon Anderson. These two lots provide good river access for the park district on non-restricted lots. Also, there are three FEMA acquired lots in this subdivision that can be transferred at this time. The county does not own any other lots in the subdivision.

PO Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58108

[www.casscountynnd.gov](http://www.casscountynnd.gov)

Board of County Commissioners  
September 25, 2017  
Page 2

Two lots in Heritage Hills are designated as public park on the original plat, and two parcels are privately owned. The two parcels contain one lot and part of another lot. A map (attachment C) shows the three county-owned parcels outlined in yellow and the three FEMA acquired lots in red. The two orange lots are designated on the plat as public park. The two privately owned lots at the east end of the subdivision are currently vacant and it is unlikely a building permit could be granted to build on the lots.

I am asking for two actions—first, the commission approve transferring the county-owned lots both those purchased and the one acquired through tax forfeiture; and second, the commission authorize the county to seek FEMA approval for the transfer of the FEMA acquired lots to the Fargo Park District.

Sincerely,

Michael Montplaisir  
Cass County Auditor

SUGGESTED MOTION:

Move to authorize the County Commission Chairman to sign quit clam deeds for tax forfeiture lots in Heritage Hills Estates; to sign warranty deeds for two purchased lots in Heritage Hills Estates; and to transfer all of them to the Fargo Park District.

**AND**

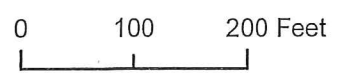
SUGGESTED MOTION:

Move to authorize the State's Attorney to request permission from FEMA to transfer FEMA grant lots in Chrisan Glen, Forest River, Forest River 2<sup>nd</sup>, and Heritage Hills Estates Subdivisions (as outlined on the attached maps) to the Fargo Park District to use as low impact public park areas.



- County Owned
- Transfer Now
- Previously Transferred
- Tax Sale
- Private Ownership

# Chrisan Glen Subdivision





- County Owned
- Private Ownership
- Transfer Now
- Other Ownership
- Previously Transferred

### Forest River/Forest River 2nd Subdivision

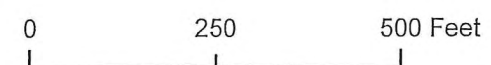
0 250 500 Feet





- County Owned
- Transfer Now
- Previously Transferred
- Public Park - Dedicated on Plat
- Private Ownership

# Heritage Hills Estates



**WARRANTY DEED**

THIS INDENTURE, made this 2nd day of October, 2017, between CASS COUNTY, North Dakota, a North Dakota political subdivision, Grantors, and FARGO PARK DISTRICT, North Dakota, a North Dakota political subdivision, Grantee, whose post office address is 701 Main Avenue, Fargo, North Dakota 58102.

WITNESSETH, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Grantor does hereby GRANT, BARGAIN, SELL AND CONVEY to the Grantee, all of the following real property lying and being in the County of Cass, State of North Dakota, and described as follows, to-wit:

Lot Nine (9), Block One (1), in Heritage Hills Estates, situated in the County of Cass and the State of North Dakota, Tax Parcel 64-1000-00090-000.

**The above legal description was obtained from a previously recorded instrument.**

I certify that the requirements for a report or statement of full consideration paid is exempted by NDCC 11-18-02.2(7) (i).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantee or Agent

And the Grantor for their, heirs, executors and administrators, do covenant with the Grantee that they well seized in fee of the land and premises aforesaid and their good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Treasurer for collection; taxes and installments for special assessments for 2017 (payable in 2018) shall be prorated to date of closing; all prior years' taxes shall be paid by Grantor and the above granted lands and premises in the quiet and peaceable possession of the Grantee, against all the persons lawfully claiming or to claim the whole or any part thereof, the Grantor will warrant and defend.

**IN WITNESS WHEREOF**, the Grantor has caused these presents to be executed in its name by its duly authorized officers as of the date set forth above.

**CASS COUNTY, NORTH DAKOTA**

By: \_\_\_\_\_  
Chair, Board of County Commissioners

By: \_\_\_\_\_  
County Auditor

STATE OF NORTH DAKOTA        )  
  ) ss.  
COUNTY OF CASS                )

The foregoing instrument was acknowledged before me this 2nd day of October, 2017 by Chad Peterson and Michael Montplaisir, the Chair of the Board of County Commissioners and County Auditor, respectively, of Cass County, a North Dakota political subdivision, on behalf of the county.

\_\_\_\_\_  
Notary Public

(SEAL)



1354037

Page: 1 of 2  
6/1/2012 9:04 AM  
WD \$13.00

TITLE CO

WARRANTY DEED

133470

THIS INDENTURE, made this 24 day of May, 2012,

between Troy S. Anderson, a single person, grantor, and Cass County, North Dakota,

grantee, whose post office address is 211 9<sup>th</sup> <sup>St.</sup> S. Fargo, ND 58103

WITNESSETH, For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, grantor does hereby GRANT to the grantee all of the following real property lying and being in the County of Cass, State of North Dakota, and described as follows, to-wit:

Lot Nine, in Block One, of Heritage Hills Estates, situate in the County of Cass and the State of North Dakota

\_\_\_\_\_ The legal description was prepared by \_\_\_\_\_  
(name and address).

OR

Obtained from a previously recorded instrument.

And the grantor for himself, his heirs, executors and administrators, does covenant with the grantee that he is well seized in fee of the land and premises aforesaid and has good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, except installments of special assessments and assessments for special improvements which have not been certified to the County Treasurer for collection, easements and restrictions of record; and the above granted land and premises in the quiet and peaceable possession of the grantee, against all persons lawfully claiming or to claim the whole or any part thereof, the grantor will warrant and defend.

64-1000-00090-000

SA Title Co.





1354037

Page: 2 of 2  
6/1/2012 9:04 AM  
WD \$13.00

TITLE CO

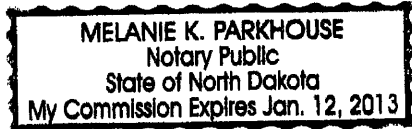
WITNESS, The hand of the grantor:

Troy S. Anderson

STATE OF NORTH DAKOTA

COUNTY OF CASS

On this 24 day of May, 2012, before me personally appeared Troy S. Anderson, a single person, known to me to be the person who is described in, and who executed the within and foregoing instrument, and acknowledged that he executed the same.



(SEAL)

Notary Public,  
My Commission expires:

I hereby certify that the full consideration paid for said hereinabove described property was \$ ~~38,730.<sup>00</sup>~~ 38,729.59.

Grantee or Agent

This document was prepared by:

Wheeler & Associates, P.C.  
35 4<sup>th</sup> Street North  
Fargo, ND 58102



AUDITOR'S OFFICE  
COUNTY OF CASS, NORTH DAKOTA

June 2012  
Taxes and Special Assessments paid  
and transfer entered

AUDITOR  
DEPUTY

RECORDER'S OFFICE, CASS COUNTY, ND  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
JEWEL A. SPIES, COUNTY RECORDER

6/1/2012 9:04 AM  
by Shena Garcia, Dep. **1354037**

**WARRANTY DEED**

THIS INDENTURE, made this 2nd day of October, 2017, between CASS COUNTY, North Dakota, a North Dakota political subdivision, Grantors, and FARGO PARK DISTRICT, North Dakota, a North Dakota political subdivision, Grantee, whose post office address is 701 Main Avenue, Fargo, North Dakota 58102.

WITNESSETH, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Grantor does hereby GRANT, BARGAIN, SELL AND CONVEY to the Grantee, all of the following real property lying and being in the County of Cass, State of North Dakota, and described as follows, to-wit:

Lot Four (4), Block One (1), in Heritage Hills Estates, situated in the County of Cass and the State of North Dakota, Tax Parcel 64-1000-00040-000.

**The above legal description was obtained from a previously recorded instrument.**

I certify that the requirements for a report or statement of full consideration paid is exempted by NDCC 11-18-02.2(7) (i).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantee or Agent

And the Grantor for their, heirs, executors and administrators, do covenant with the Grantee that they well seized in fee of the land and premises aforesaid and their good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Treasurer for collection; taxes and installments for special assessments for 2017 (payable in 2018) shall be prorated to date of closing; all prior years' taxes shall be paid by Grantor and the above granted lands and premises in the quiet and peaceable possession of the Grantee, against all the persons lawfully claiming or to claim the whole or any part thereof, the Grantor will warrant and defend.

**IN WITNESS WHEREOF**, the Grantor has caused these presents to be executed in its name by its duly authorized officers as of the date set forth above.

**CASS COUNTY, NORTH DAKOTA**

By: \_\_\_\_\_  
Chair, Board of County Commissioners

By: \_\_\_\_\_  
County Auditor

STATE OF NORTH DAKOTA     )  
  ) ss.  
COUNTY OF CASS            )

The foregoing instrument was acknowledged before me this 2nd day of October, 2017 by Chad Peterson and Michael Montplaisir, the Chair of the Board of County Commissioners and County Auditor, respectively, of Cass County, a North Dakota political subdivision, on behalf of the county.

\_\_\_\_\_  
Notary Public

(SEAL)



1356330

Page: 1 of 3  
6/25/2012 10:27 AM  
WD \$16.00

TITLE CO

WARRANTY DEED

133 654

THIS INDENTURE Made this 21<sup>st</sup> day of JUNE 2012,

between Douglas Stensgard and Mary Beth Stensgard, husband and wife, Grantors,  
and Cass County, Grantee, whose post office address is

211 9th St S Fargo ND 58103

WITNESSETH, For and in consideration of the sum of One and no/100 (\$1.00)  
Dollars and other good and valuable consideration Grantors do hereby GRANT to the  
Grantee all of the following real property lying and being in the County of Cass and the  
State of North Dakota:

Lot Four, in Block One, of Heritage Hills Estates, situate in the County of  
Cass and the State of North Dakota

         The legal description was prepared by (name and address).

OR

  X   Obtained from a previously recorded instrument.

And the Grantors for themselves, their heirs, executors and administrators, do  
covenant with the Grantee that they are well seized in fee of the land and premises  
aforesaid and have good right to sell and convey the same in manner and form aforesaid;  
that the same are free from all encumbrances, except installments of special  
assessments and assessments for special improvements which have not been certified to  
the County Treasurer for collection, easements and restrictions of record; and the above  
granted land and premises in the quiet and peaceable possession of the Grantee, against  
all persons lawfully claiming or to claim the whole or any part thereof, the Grantors will  
warrant and defend.

64-1000-00040-000

14 Title Co.



1356330

Page: 2 of 3  
6/25/2012 10:27 AM  
WD \$16.00

TITLE CO

WITNESS the hands of the grantors:

Douglas Stensgard  
Douglas Stensgard

Mary Beth Stensgard  
Mary Beth Stensgard

STATE OF NORTH DAKOTA  
COUNTY OF CASS

On this 21 day of June, 2012, before me personally appeared Douglas Stensgard, a married person, known to me to be the person who is described in, and who executed the within and foregoing instrument, and severally acknowledged that he acknowledged the same.

SIMON M. FISHER  
Notary Public  
State of North Dakota  
My Commission Expires April 20, 2017

Simon M. Fisher  
Notary Public,  
My Commission expires:

STATE OF NORTH DAKOTA  
COUNTY OF CASS

On this 21<sup>st</sup> day of June, 2012, before me personally appeared Mary Beth Stensgard, a married person, known to me to be the person who is described in, and who executed the within and foregoing instrument, and severally acknowledged that she acknowledged the same.

SIMON M. FISHER  
Notary Public  
State of North Dakota  
My Commission Expires April 20, 2017

Simon M. Fisher  
Notary Public,  
My Commission expires:

I certify that the full consideration paid for the above described real property was \$12,016.58.

Michelle Montclair  
Grantee or Agent *County Assessor*

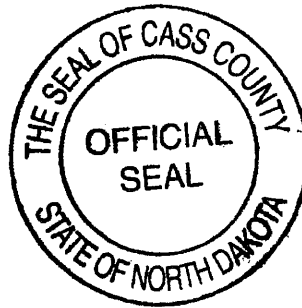
This document was prepared by:  
Wheeler & Associates, P.C.  
35 4<sup>th</sup> Street North  
Fargo, ND 58102

AUDITOR'S OFFICE  
COUNTY OF CASS-NORTH DAKOTA

25 June 2012

Taxes and Special Assessments paid  
and transfer entered

*Michael M. Sargin* AUDITOR  
*DS* DEPUTY



1356330

Page: 3 of 3  
6/25/2012 10:27 AM  
WD \$16.00

TITLE CO

RECORDER'S OFFICE, CASS COUNTY, ND 6/25/2012 10:27 AM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
JEWEL A. SPIES, COUNTY RECORDER

by *Teresa A. Kirby, Deaf* 1356330



## QUIT CLAIM DEED

This INDENTURE, Made this 2<sup>nd</sup> day of October, 2017, between CASS COUNTY, Grantor and FARGO PARK DISTRICT, Grantee, whose post office address is 701 MAIN AVENUE, FARGO, NORTH DAKOTA 58102.

WITNESSETH, For and in consideration of the sum of one and no/100 Dollars and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, Grantor does hereby **SELL, REMISE, RELEASE, AND QUIT-CLAIM** to Grantee, its successors and assigns, **FOREVER**, all its right, title, interest, claim or demand in and to the following tract or parcel of land lying and being in the County of Cass and State of North Dakota and described as follows, to-wit:

Lot Twenty-Four (24), in Block One (1), Heritage Hills Estates Subdivision,  
County of Cass, State of North Dakota, Tax Parcel 64-1000-00240-000; and

I certify that the requirement for a report or statement of full consideration paid is exempted by NDCC 11-18-02.2(7)(i).

Date: \_\_\_\_\_

Grantee or Agent: \_\_\_\_\_

\_\_\_\_\_  
Chad Peterson, Chairman  
Cass County Commission

ATTEST:







1460730

Page: 1 of 2  
10/14/2015 8:58 AM  
AUDTD \$13.00

CASS COUNTY AUDITOR

**TAX DEED**

This deed, made this 9<sup>th</sup> day of October, 2015, by Michael Montplaisir, County Auditor of Cass County, North Dakota, in the name of the state to Cass County, as provided by the laws of the State of North Dakota:

Whereas, there was assessed for 2012, the following real property:

Lot Twenty-Four (24) Block One (1), Heritage Hills Estates Subdivision, Cass County, North Dakota, Tax Parcel 64-1000-00240-000; and

Whereas, taxes for 2012, levied against the property amounted to \$73.12; and

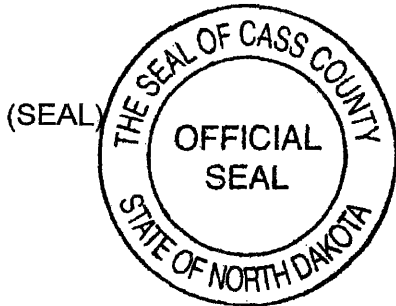
Whereas, the taxes were not paid and a property tax lien for the payment of the taxes attached; and

Whereas, notice was given to interested parties under chapter 57-28 of foreclosure of the tax lien and that the issuance of a tax deed was pending; and

Whereas, the property tax lien has not been satisfied by Heritage Hills Homeowners Association, Grantee, or any other person entitled to satisfy it.

Now, therefore, I, Michael Montplaisir, County Auditor of Cass County, North Dakota, in the name of the state, hereby grant to Cass County PO Box 2806, Fargo ND 58108-2806, all the property situated in Cass County, North Dakota, described in this document.

IN TESTIMONY WHEREOF, The said Michael Montplaisir, as County Auditor of the said County of Cass, has hereunto set his hand and seal of the said county, on the day and year aforesaid.



*Michael Montplaisir*  
County Auditor  
Cass County, North Dakota

AUDITOR'S OFFICE  
COUNTY OF CASS NORTH DAKOTA  
*October 14* 20 *15*  
TRANSFER ENTERED.  
*Michael Montplaisir* Auditor  
Deputy

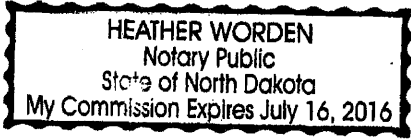


CASS COUNTY AUDITOR

STATE OF NORTH DAKOTA          )  
  ) ss.  
COUNTY OF CASS                            )

On this 9th day of October, 2015, before me personally appeared Michael Montplaisir, known to me to be the person who is described as County Auditor in and who executed the within instrument, and acknowledged to me that he executed the same as such County Auditor of said Cass County.

Heather Worden  
Notary Public  
Cass County, North Dakota



(SEAL)

My commission expires:

I certify that the requirement for a report or statement of full consideration paid does not apply because this deed is for one of the transactions exempted by subdivision F of subsection 6 of NDCC 11-18-02.2.

Signed: Michael Montplaisir  
Grantee or Agent

Date: 10/12/15

The legal description was obtained from a previously recorded document.

RECORDER'S OFFICE, CASS COUNTY, ND                  10/14/2015 8:58 AM  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
JEWEL A. SPIES, COUNTY RECORDER

by Teresa A. Kirby Deputy 1460730

