

CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, August 27, 2020 at 7:00 a.m.

Vector Conference Room, 1201 Main Avenue West, West Fargo, 58078

A. Call to Order

B. Roll Call

C. Determination of a Quorum

D. Approve Meeting Minutes of July 23, 2020

E. Public Hearing Items

1. **CONTINUED** - Hearing on an application requesting a Variance from the County Subdivision standards to combine Auditor's Lots 3-6 and part of Lot 7 returning the property to a 9 acre parcel (Located in Reed Township, in the NE $\frac{1}{4}$ of Section 18, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County North Dakota).
2. Hearing on an application requesting a Minor Subdivision Plat of **Kellerman Erik Subdivision** (Located in Highland Township, a part of the SW $\frac{1}{4}$ of Section 25, Township 137 North, Range 54 West of the Fifth Principal Meridian, Cass County, North Dakota)
3. Hearing on an application requesting a Minor Subdivision Plat of **KFNW AM 1200 Subdivision** (Located in Warren Township, a part of the SW $\frac{1}{4}$ of Section 32, Township 138 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota)

F. New Business

G. Old Business

H. Adjournment

**CASS COUNTY PLANNING COMMISSION
JULY 23, 2020**

1. MEETING TO ORDER

A meeting of the Cass County Planning Commission was called to order on July 23, 2020, at 7:00 AM in the Vector Control Conference Room with members present as follows: Mr. Monson, Mr. Bertsch, Mr. Gust and Ms. Schipper. Mr. Lougheed, Mr. Breitling and Mr. Olson were present by phone. Dr. Mahoney and Ms. Novotny were absent. Also present were County Planner, Grace Puppe and County Engineer, Tom Soucy.

2. MINUTES, APPROVED

MOTION, passed

Mr. Monson moved and Mr. Bertsch seconded to approve the minutes of the July 10, 2020 meeting as presented. Motion carried.

3. PUBLIC HEARING ITEMS

Hearing on an application requesting a Minor Subdivision Plat of Rohde First Subdivision (Located in Davenport Township, a part of the NE ¼ of Section 10, Township 137 North, Range 51 West of the 5th Principal Meridian, Cass County North Dakota)

MOTION, passed

Mr. Gust moved and Mr. Bertsch seconded to approve. Motion carried.

The public hearing was closed.

4. NEW BUSINESS

Vice-Chairman – David Gust was appointed as Vice-Chairman.

MOTION, passed

Mr. Olson moved and Mr. Monson seconded to approve. Motion carried.

5. OLD BUSINESS

Mr. Lougheed suggested to bring information pertaining to the Reed Township Variance Request for discussion to the August Planning Commission Meeting for the tabled item to be acted upon or removed.

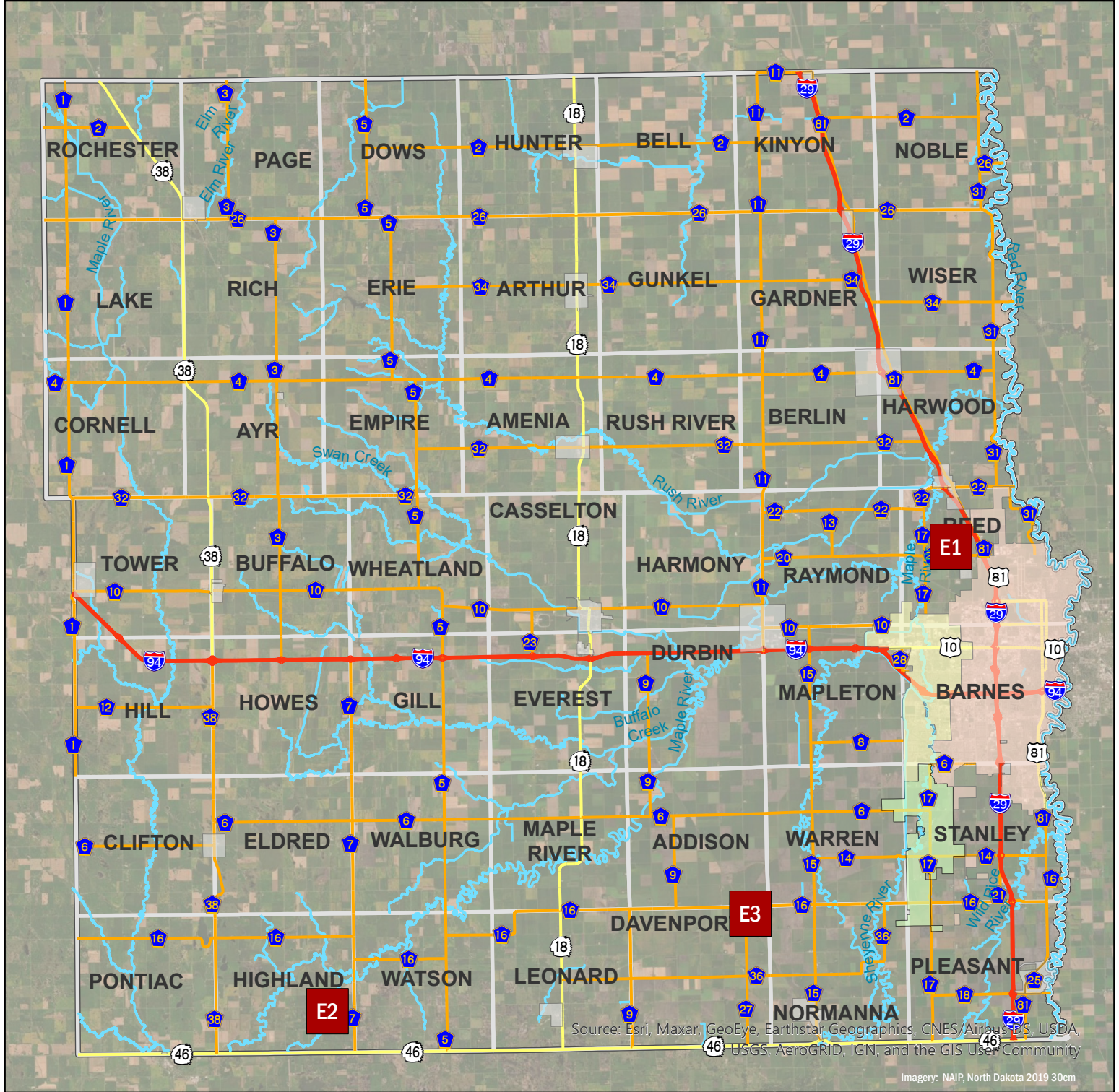
ADJOURNMENT

On motion by Mr. Gust, seconded by Ms. Schipper, and all voting in favor, the meeting was adjourned at 7:18 AM.

Agenda Items Map

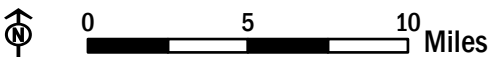
Cass County Planning Commission

August 27, 2020



Agenda Items No.

- E1. - Variance in Reed Twp
- E2. - Kellerman Erik Subdivision
- E3. - KFNW AM 1200 Subdivision



Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.





Cass County Planning Commission Staff Report

Entitlements Requested:	Variance request in Reed Township (1 Lot) of a part of the NE ¼ of Section 18, Township 140 North, Range 49 West		
Title:	Variance Request	Date:	6-11-2020
		Update:	8-18-2020
Location:	Auditor’s Lots 3-6 and part of Lot 7, NE ¼ of Section 18, Township 140 North, Range 49 West (Reed Township)	Staff Contact:	Grace Puppe
Parcel Number:	60-0000-01190-030; 60-0000-01190-040; 60-0000-01190-050; 60-0000-01190-060; 60-0000-01190-080	Water District:	Maple River Water District
Owner(s)/Applicant:	Dylan Slotten	Engineer/Surveyor:	Lowry Engineering
Status:	Planning Commission Hearing: August 27, 2020		

Existing Land Use	Proposed Land Use
Agriculture	Residential
Proposal	

The applicant is seeking approval of a variance to combine auditor’s lots 3-7 to plat a one (1) Lot subdivision of approximately 9 acres. According to the applicant, the lots would be combined back into one 9-acre parcel to build one residential house on.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 48th Ave N road access, ditches for storm sewer conveyance, public water, and on-site septic systems for wastewater treatment. The property currently does not have a connection to water and electricity.

Agency Comments	
County Engineer	Request that any variance for this property does not include a access off of Cass Highway 17. There are currently 5 lots owned by SLOT10 LLP. If this variance was granted all five lots should be combined into one.
Water Resource District	No comments were received prior to publishing the staff report.
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
Century Link	No comments were received prior to publishing the staff report.

Sprint	No comments were received prior to publishing the staff report.
AT&T	No comments were received prior to publishing the staff report.
Xcel Energy	No comments were received prior to publishing the staff report.
Otter Tail Power Company	No comments were received prior to publishing the staff report.
Magellan Pipeline Company	No comments were received prior to publishing the staff report.
NuStar Energy	No comments were received prior to publishing the staff report.
Cass Rural Water	Water service to the property can potentially be made from a line that runs along County Road 17. We have been contacted by the applicant but to date we have not received an application for service.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No comments were received prior to publishing the staff report.
Township Chairman	No comments were received prior to publishing the staff report.
The City of Fargo	The subject property is located in Reed Township but is outside of the Fargo City limits and Fargo's extraterritorial jurisdiction. The City has no comment.
The City of West Fargo	No comments were received prior to publishing the staff report.
Public Comment	Public Comments are included after the staff report.

Staff Analysis

Land Use and Surrounding Uses

The subject property is bound by agricultural production land on the north, west and south. Interstate 29 borders the east of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently unmapped and not Special Hazard Flood Area has been identified. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

Staff Recommendation

1. To accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application as the proposal 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 all other applicable regulations.

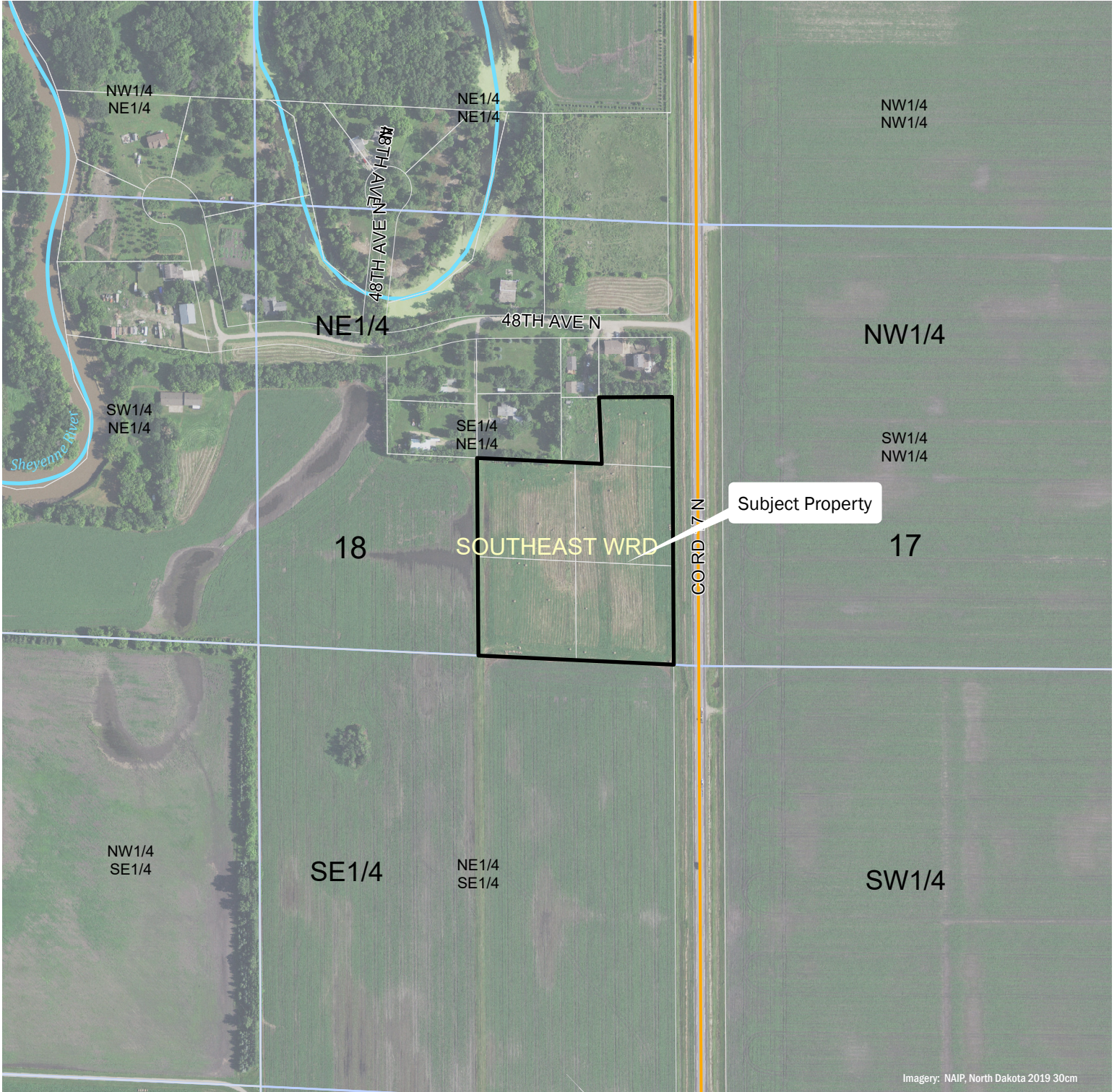
Attachments

1. Location Map
2. Sheyenne Valley Farm Subdivision Plat
3. Warranty Deed
4. Plat of Auditors lots 2-7
5. Public Comments
6. Explanation of request

Minor Subdivision

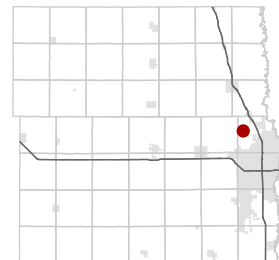
Variance

Reed Twp, Section 18 - Township 140 North - Range 49 West



Imagery: NAIP, North Dakota 2019 30cm

Cass County Planning Commission
June 25, 2020



Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



SHEYENNE VALLEY FARM SUBDIVISION

A PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 140 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA

CERTIFICATE

LEE SPRAGUE, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED PROFESSIONAL LAND SURVEYOR WHO SURVEYED AND MADE THE ATTACHED PLAT OF "SHEYENNE VALLEY FARM SUBDIVISION", A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT, THAT MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN PLACED IN THE GROUND AS INDICATED, THAT THE EXTERIOR BOUNDARY LINES OF SAID PLAT ARE CORRECTLY SHOWN ON SAID PLAT AND THAT SAID PLAT IS DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTH ONE HUNDRED (100) ACRES OF THE (NE 1/4) OF SECTION EIGHTEEN (18) TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF THE (NE 1/4) OF SAID SECTION EIGHTEEN (18);
 THENCE N 00° 00' 00" W ALONG THE EAST LINE OF SAID SECTION EIGHTEEN (18), ALSO BEING THE CENTERLINE OF CASS COUNTY HIGHWAY NO. 17 FOR A DISTANCE OF NINE HUNDRED EIGHTY SEVEN AND SIX TENTHS (987.60) FEET TO THE POINT OF BEGINNING.
 THENCE CONTINUE N 00° 00' 00" W ALONG THE EAST LINE OF SAID SECTION EIGHTEEN (18) FOR A DISTANCE OF SEVENTY (70.00) FEET;
 THENCE N 89° 59' 00" W FOR A DISTANCE OF FOUR HUNDRED FIFTY SEVEN AND FORTY SIX HUNDRETHS (457.46) FEET;
 THENCE N 00° 00' 00" W FOR A DISTANCE OF SIX HUNDRED AND SIX (606.00) FEET;
 THENCE N 87° 37' 00" W FOR A DISTANCE OF TWO HUNDRED AND ELEVEN (211.00) FEET;
 THENCE N 86° 23' 00" W FOR A DISTANCE OF ONE HUNDRED AND FIFTY (150.00) FEET;
 THENCE N 87° 00' 00" W FOR A DISTANCE OF THREE HUNDRED (300.00) FEET;
 THENCE N 85° 55' 00" W FOR A DISTANCE OF SIXTY FOUR (64.00) FEET;
 THENCE N 86° 59' 00" W FOR A DISTANCE OF EIGHT HUNDRED (800.00) FEET, MORE OR LESS, TO A POINT ON THE CENTERLINE OF THE SHEYENNE RIVER;
 THENCE SOUTHEASTERLY, SOUTHWESTERLY AND SOUTHERLY ALONG THE CENTERLINE OF SAID SHEYENNE RIVER TO A POINT LYING ONE THOUSAND ELEVEN AND SEVENTY FOUR HUNDRETHS (1011.74) FEET NORTH OF AND ONE THOUSAND NINE HUNDRED THIRTY TWO AND SEVENTY ONE HUNDRETHS (1932.71) FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION EIGHTEEN (18);
 THENCE S 82° 22' 00" E FOR A DISTANCE OF FOUR HUNDRED SEVENTY TWO (472.00) FEET;
 THENCE N 82° 38' 10" E FOR A DISTANCE OF FOUR HUNDRED SEVENTY AND THIRTY NINE HUNDRETHS (170.39) FEET;
 THENCE ALONG A CURVE TO THE RIGHT ($\Delta = 22^\circ 01' 30''$ R=377.83') FOR AN ARC DISTANCE OF ONE HUNDRED FORTY FIVE AND TWENTY FOUR HUNDRETHS (145.24) FEET;
 THENCE S 75° 20' 20" E FOR A DISTANCE OF TWENTY THREE AND FORTY ONE HUNDRETHS (23.41) FEET;
 THENCE ALONG A CURVE TO THE LEFT ($\Delta = 31^\circ 56' 50''$ R=627.50') FOR AN ARC DISTANCE OF THREE HUNDRED FORTY NINE AND EIGHTY EIGHT HUNDRETHS (349.88) FEET;
 THENCE ALONG A CURVE TO THE RIGHT ($\Delta = 17^\circ 18' 10''$ R=533.63') FOR AN ARC DISTANCE OF ONE HUNDRED SIXTY FIVE AND FIFTEEN HUNDRETHS (165.15) FEET;
 THENCE S 89° 59' 00" E FOR A DISTANCE OF SIX HUNDRED TWENTY FIVE AND TWENTY ONE HUNDRETHS (625.21) FEET TO THE POINT OF BEGINNING.
 SAID TRACT CONTAINS 22.88± ACRES AND IS SUBJECT TO A SEVENTY FIVE (75) FOOT HIGHWAY RIGHT-OF-WAY EASEMENT ON THE EAST SIDE THERE-OF.

STATE OF NORTH DAKOTA)
 COUNTY OF CASS) SS

ON THIS 11th DAY OF July, 1979, BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LEE SPRAGUE, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

LEE SPRAGUE, R.P.L.S.

CAUL B. RAHDE
 NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-7-82

DEDICATION

WE, THE UNDERSIGNED DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "SHEYENNE VALLEY FARM SUBDIVISION," PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED (140) NORTH, RANGE FORTY NINE (49) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, AND WE HAVE CAUSED IT TO BE SURVEYED AND PLATTED INTO LOTS, BLOCKS, STREETS AS SHOWN ON SAID PLAT AND CERTIFICATE OF LEE SPRAGUE REGISTERED PROFESSIONAL LAND SURVEYOR, HEREUNTO ANNEXED AND THAT THE DESCRIPTION AS SHOWN ON THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT AND SAID ADDITION SHALL BE KNOWN AS "SHEYENNE VALLEY FARM SUBDIVISION" WE HEREBY DEDICATE FOREVER ALL STREETS AS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNERS: LOTS 1 - 4, 6 - 9, BLOCK 1

OWNERS: LOT 5, BLOCK 1

WILLIAM SHERMAN
 WILLIAM SHERMAN

MILDRED L. SHERMAN
 MILDRED L. SHERMAN

THEODORE L. ESSLINGER
 THEODORE L. ESSLINGER

RICKIE L. ESSLINGER
 RICKIE L. ESSLINGER

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS 11th DAY OF July, 1979, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WILLIAM SHERMAN, MILDRED L. SHERMAN, THEODORE L. ESSLINGER, AND RICKIE L. ESSLINGER, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

CAUL B. RAHDE
 NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-7-82

AUDITOR'S TAX RECORD

I HEREBY CERTIFY THAT ALL DELIQUENT TAXES AND SPECIAL ASSESSMENTS ON THE ABOVE TRACT ARE PAID AND TRANSFERS ENTERED.

DUANE HOEHN, CASS COUNTY AUDITOR

CASS COUNTY COMMISSION

"SHEYENNE VALLEY FARM SUBDIVISION" OF A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18) TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA IS HEREBY APPROVED THIS 11TH DAY OF July, 1979.

J. PALMER SATROM
 J. PALMER SATROM, CHAIRMAN

STATE OF NORTH DAKOTA)
 COUNTY OF CASS) SS

ON THIS 11TH DAY OF July, 1979, BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED J. PALMER SATROM, CHAIRMAN OF THE CASS COUNTY COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

CAUL B. RAHDE
 NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-7-82

REED TOWNSHIP BOARD OF SUPERVISORS

"SHEYENNE VALLEY FARM SUBDIVISION" OF A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA IS HEREBY APPROVED THIS 9TH DAY OF October, 1978.

GLEN HARRIS
 GLEN HARRIS, CHAIRMAN

STATE OF NORTH DAKOTA)
 COUNTY OF CASS) SS

ON THIS 9TH DAY OF October, 1978, BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GLEN HARRIS, CHAIRMAN OF THE REED TOWNSHIP BOARD OF SUPERVISORS, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

CAUL B. RAHDE
 NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-7-82

CASS COUNTY PLANNING COMMISSION

"SHEYENNE VALLEY FARM SUBDIVISION" OF A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA IS HEREBY APPROVED THIS 11TH DAY OF June, 1979.

RALPH A. CAMERON
 RALPH A. CAMERON, CHAIRMAN

STATE OF NORTH DAKOTA)
 COUNTY OF CASS) SS

ON THIS 27TH DAY OF June, 1979, BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RALPH A. CAMERON, CHAIRMAN OF THE CASS COUNTY PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

CAUL B. RAHDE
 NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA
 MY COMMISSION EXPIRES 11-7-82

CASS COUNTY SURVEYOR

"SHEYENNE VALLEY FARM SUBDIVISION" OF A PART OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA IS HEREBY APPROVED THIS 9TH DAY OF Nov, 1978.

FRANK J. RICHARD
 FRANK J. RICHARD, CASS COUNTY SURVEYOR

DOCUMENT NO. 560457 copy
 STATE OF NORTH DAKOTA
 COUNTY OF CASS
 I HEREBY CERTIFY THAT THE ABOVE INSTRUMENT WAS FILED IN THIS OFFICE FOR RECORD ON THIS 18 DAY OF July, A. D. 1979 AT 10:30 O'CLOCK P.M. AND WAS RECORDED IN BOOK 27 OF PLATS PAGE 26 REGISTER OF DEEDS
 BY _____ DEPUTY

L-26

622616

WARRANTY DEED

THIS INDENTURE, Made this 14th day of November, 1984, between WILLIAM S. SHERMAN and MILDRED L. SHERMAN, husband and wife, GRANTORS, and J. M. SULLIVAN, GRANTEE, whose postoffice address is 402 Tenth Avenue North, Casselton, North Dakota 58012.

WITNESSETH, For and in consideration of the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS

Grantors do 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:

A PARCEL LOCATED IN THE NORTHEAST QUARTER (NE $\frac{1}{4}$), OF SECTION (18), TOWNSHIP (140) NORTH, RANGE (49) WEST, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$), OF SAID SECTION (18), THENCE N 86 54' 45" W (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$) A DISTANCE OF (75.11) FEET, TO THE WEST RIGHT OF WAY OF CASS COUNTY HIGHWAY NUMBER (17), THE POINT OF BEGINNING: THENCE CONTINUE N 86 54' 45" W, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$) A DISTANCE OF (587.16) FEET, TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF (E $\frac{1}{2}$ E $\frac{1}{2}$) OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$), THENCE N 0 04' 20" W, ALONG THE WEST LINE OF THE EAST HALF OF THE EAST HALF (E $\frac{1}{2}$ E $\frac{1}{2}$) OF SAID NORTHEAST QUARTER (NE $\frac{1}{4}$), A DISTANCE OF (950.89) FEET, TO THE SOUTH LINE OF SHEYENNE VALLEY FARM SUBDIVISION, THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SHEYENNE VALLEY FARM SUBDIVISION, FOR AN ARC LENGTH OF (36.73) Feet, (Radius of 533.63) FEET, THENCE S 89 59' 00" E, ALONG THE SOUTH LINE OF SHEYENNE VALLEY FARM SUBDIVISION, FOR A DISTANCE OF (330.17) FEET, THENCE S 0 03' 40" W FOR A DISTANCE OF (178.64) FEET, THENCE S 89 59' 00" E FOR A DISTANCE OF (220.23) FEET, TO THE WEST RIGHT OF WAY OF CASS COUNTY HIGHWAY NUMBER (17), THENCE S 0 00' 00" E, ALONG SAID HIGHWAY RIGHT OF WAY, A DISTANCE OF (804.94) FEET, TO THE POINT OF BEGINNING: SAID PARCEL CONTAINS (12.13) ACRES, MORE OR LESS:

DOCUMENT NO. 622616

RECORDING FEE *7.00 chg.*

Confirmed	<i>JA</i>
Granted	<i>JA</i>
Indexed	<i>JA</i>
Filed	<i>JA</i>

STATE OF NORTH DAKOTA }
COUNTY OF CASS } ss.
REGISTER'S OFFICE

I hereby certify that the within instrument was filed in this office for record on NOV 16 '84

at 10:15 o'clock P.M. and was duly recorded as Doc. No. 622616

Deanne Persrud
REGISTER OF DEEDS

By *William Strehlow*

(L) Wm. MONTY STREHLOW - ATTY.
CASSIATCH, NORTH DAKOTA 58012

AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
March 25 1985
Delinquent Taxes and Special Assessments or Installments of Special Assessments, paid and transfer entered.
Auditor
Deputy

458

SURVEY RECORD
PLAT OF
AUDITORS LOT NO. TWO

PART OF NE Section 18 Township 140 NORTH Range 49 WEST
Present Owner NORBERT BLOCK

OWNER'S CERTIFICATE

THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code as Rev. 1943, and upon demand of the County Auditor of Cass County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as therein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seals this 22nd day of January, 1985.

In Presence of [Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)

STATE OF NORTH DAKOTA }
County of Cass } SS:

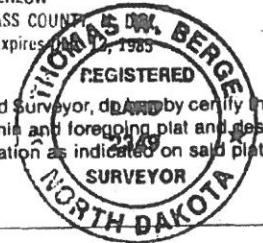
I, Wm. M. Strehlow, a Notary Public within and for said County, do hereby certify that on this 22nd day of January A.D. 1985, personally appeared before me Norbert Block, to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that he executed the same freely and voluntarily.

My commission expires 19

[Signature]
WM. M. STREHLOW
Notary Public, CASS COUNTY
My Commission Expires AUG 10, 1985

SURVEYOR'S CERTIFICATE

I, THOMAS W. BERGE, Registered Land Surveyor, do hereby certify that at the request of Norbert Block I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and location as indicated on said plat and contained in said description are true and correct.



Subscribed and sworn to before me this 22 day of Jan 1985

D. L. SANNEs
Notary Public, CASS COUNTY, N. DAK.
My Commission expires AUG 31, 1988

[Signature]
[Signature]

PLAT OF

DOCUMENT NO. 628130
RECORDING FEE 7.00 chg

Office of the Register of Deeds
Cass County, N.D.

I hereby certify that the within instrument was filed for record in this office on the 25 day of March, 1985 at 8:28 o'clock A.M., and was duly recorded on page 458 of Book C of Plat 5 of Auditor's Misc. Records

[Signature]
Deanna Pensrud
Register of Deeds

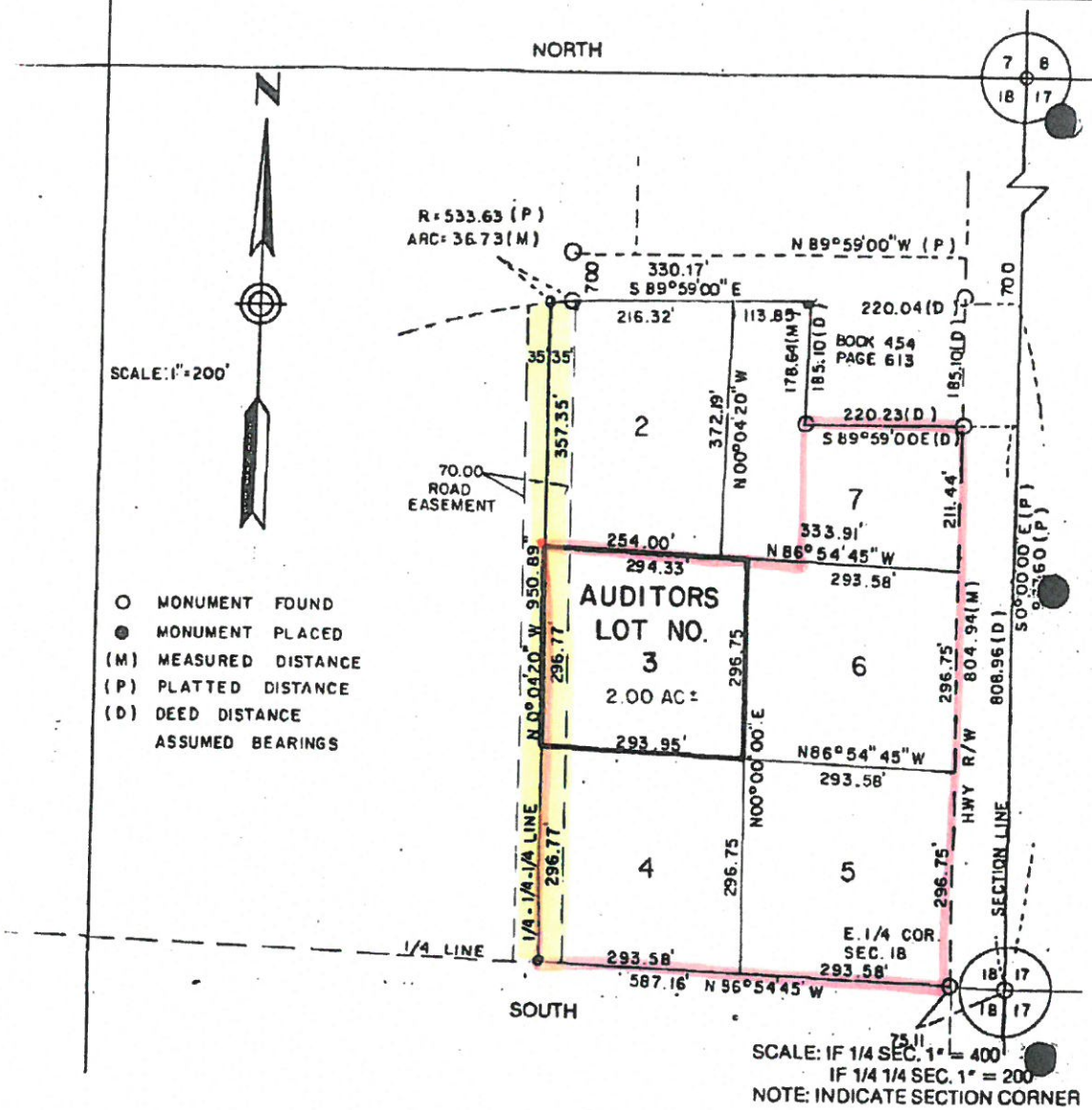
By [Signature] Deputy

1108

630773 PLAT OF

AUDITORS LOT NO. 3

PART OF NE 1/4 SECTION 18 TOWNSHIP 140 N RANGE 49 W



LOT NUMBER 3 OF PART OF NE 1/4 SECTION 18
TOWNSHIP 140 N RANGE 49 W DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION EIGHTEEN (18); THENCE N 86°54'45" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF THREE HUNDRED SIXTY EIGHT AND SIXTY NINE (368.69) FEET; THENCE N 00°00'00" W PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00°00'00" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET; THENCE N 86°54'45" W FOR A DISTANCE OF TWO HUNDRED NINETY FOUR AND THIRTY THREE HUNDREDTHS (294.33) FEET; THENCE S 00°04'20" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY SEVEN HUNDREDTHS (296.77) FEET; THENCE S 86°54'45" E FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND NINETY FIVE HUNDREDTHS (293.95) FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 2.00 ACRES, MORE OR LESS.

630773

4168

SURVEY RECORD

PLAT OF

AUDITORS LOT NO. THREE

PART OF NE_{1/4} Section 18 Township 140 NORTH Range 49 WEST

Present Owner J. M. SULLIVAN

OWNER'S CERTIFICATE

THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code as Rev. 1943, and upon demand of the County Auditor of Cass County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as therein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seals this 17th day of May, 1985.

In Presence of J. Cecilia Sullivan (SEAL)
(SEAL)
(SEAL)

STATE OF NORTH DAKOTA }
County of Cass } SS:

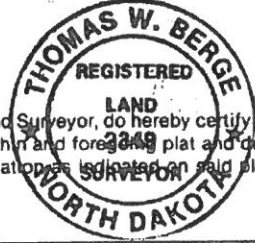
I, Robert E. Rosenvold a Notary Public within and for said County, do hereby certify that on this 17th day of May A.D. 1985, personally appeared before me A. Cecilia Sullivan, Pers. Rep., to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that she executed the same freely and voluntarily.

My commission expires 19
Notary Public - Robert E. Rosenvold
Cass County, North Dakota
My Commission Expires Dec. 10, 1987
STATE OF NORTH DAKOTA
NOTIARY PUBLIC SEAL

Robert E. Rosenvold

SURVEYOR'S CERTIFICATE

I, THOMAS W. BERGE, Registered Land Surveyor, do hereby certify that at the request of J. M. SULLIVAN I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and location as indicated on said plat and contained in said description are true and correct.



Thomas W. Berge

Subscribed and sworn to before me this 22 day of Jan, 1985

My Commission expires 19

D. L. SANNES
Notary Public, CASS COUNTY, N. DAK.
My Commission Expires AUG. 31, 1988

PLAT OF

AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
May 22 1985
Delinquent Taxes and Special Assessments, or installments of Special Assessments, paid and transfer entered

630773
DOCUMENT NO.
RECORDING FEE 7.00 chg.

Office of the Register of Deeds
Cass County, N.D.

I hereby certify that the within instrument was filed for record in this office on the 22 day of May, 1985, at 9:10 o'clock A.M., and was duly recorded on page 468 of Book 5 of Plat 3

Deanna Pensrud
Register of Deeds

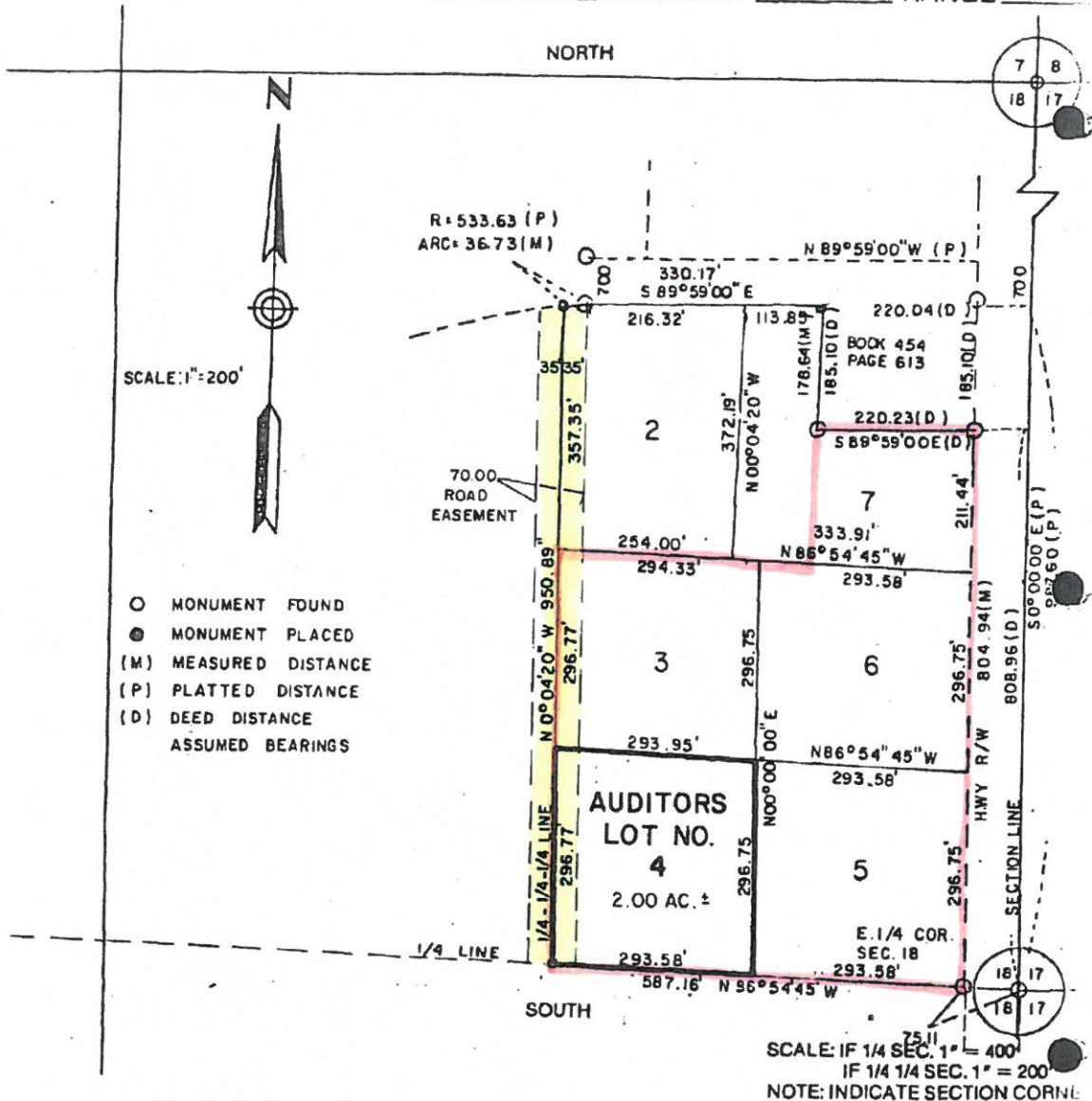
By Alexander Sprunk Deputy

41109

PLAT OF 630774

AUDITORS LOT NO. 4

PART OF NE 1/4 SECTION 18 TOWNSHIP 140 N RANGE 49 W



LOT NUMBER 4 OF PART OF NE 1/4 SECTION 18
 TOWNSHIP 140 N RANGE 49 W DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION EIGHTEEN (18); THENCE N 86° 54' 45" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF THREE HUNDRED SIXTY EIGHT AND SIXTY NINE HUNDREDTHS (368.69) FEET TO THE POINT OF BEGINNING; THENCE N 00° 00' 00" W PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET; THENCE N 86° 54' 45" W FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND NINETY FIVE HUNDREDTHS (293.95) FEET; THENCE S 00° 04' 20" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY SEVEN HUNDREDTHS (296.77) FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE S 86° 54' 45" E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND FIFTY EIGHT HUNDREDTHS (293.58) FEET TO THE POINT OF BEGINNING.
 SAID TRACT CONTAINS 2.00 ACRES, MORE OR LESS.

630774

469

SURVEY RECORD
PLAT OF
AUDITORS LOT NO. FOUR

PART OF NE 2 Section 18 Township 140 NORTH Range 49 WEST

Present Owner J. M. SULLIVAN

OWNER'S CERTIFICATE

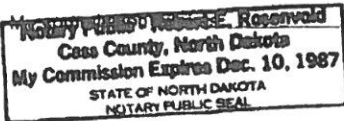
THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code as Rev. 1943, and upon demand of the County Auditor of Cass County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as therein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seals this 17th day of May, 1985.

In Presence of _____ (SEAL)
_____ (SEAL)
_____ (SEAL)

STATE OF NORTH DAKOTA }
County of Cass } SS:

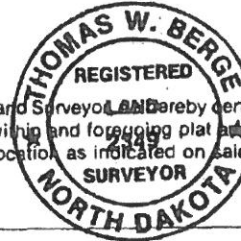
I, Robert E. Rosenvold, a Notary Public within and for said County, do hereby certify that on this 17th day of May A.D. 1985, personally appeared before me A. Cecilia Sullivan, Pers. Rep., to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that she executed the same freely and voluntarily.



Robert E. Rosenvold

SURVEYOR'S CERTIFICATE

I, THOMAS W. BERGE, Registered Land Surveyor, do hereby certify that at the request of J. M. SULLIVAN I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and location as indicated on said plat and contained in said description are true and correct.



Thomas W. Berge

Subscribed and sworn to before me this 22 day of Jan, 1985

D. L. Snaves

My Commission expires _____ 19____
D. L. SNAVES
Notary Public, CASS COUNTY, N. DAK.
My Commission Expires AUG. 31, 1988

PLAT OF

AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
May 22 1985
Delinquent Taxes and Special Assessments, or installments of Special Assessments, paid and transfer entered.

DOCUMENT NO. 630774
RECORDING FEE 7.00 chg.
Office of the Register of Deeds
Cass County, N.D.

Deanne Pensrud AUDITOR

I hereby certify that the within instrument was filed for record in this office on the 22 day of May, 1985, at 8:45 o'clock A.M., and was duly recorded on page 469 of Book 5 of Plat 5 of Auditor's map

Deanne Pensrud
Register of Deeds

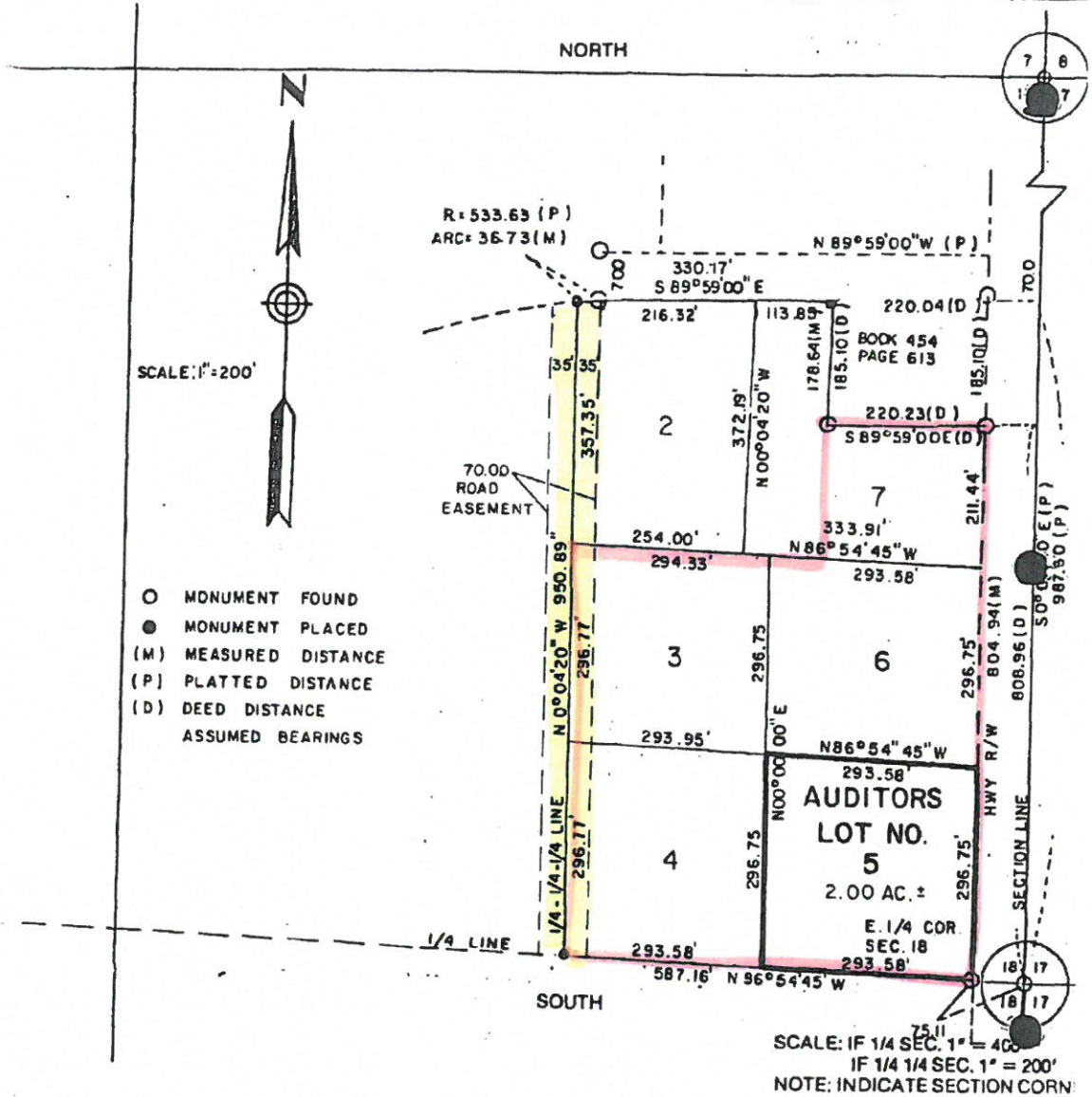
By Adams Frank Deputy

470

630775 PLAT OF

AUDITORS LOT NO. 5

PART OF NE 1/4 SECTION 18 TOWNSHIP 140 N RANGE 49 W



LOT NUMBER 5 OF PART OF NE 1/4 SECTION 18
 TOWNSHIP 140 N RANGE 49 W DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION EIGHTEEN (18); THENCE N 86° 54' 45" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF SEVENTY FIVE AND ELEVEN HUNDREDTHS (75.11) FEET TO THE POINT OF BEGINNING; THENCE N 00° 00' 00" W PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET; THENCE N 86° 54' 45" W FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND FIFTY EIGHT HUNDREDTHS (293.58) FEET; THENCE S 00° 00' 00" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4); THENCE S 86° 54' 45" E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND FIFTY EIGHT HUNDREDTHS (293.58) FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2.00 ACRES, MORE OR LESS.

630775

470

SURVEY RECORD

PLAT OF

AUDITORS LOT NO. FIVE

PART OF NE 1/4 Section 18 Township 140 NORTH Range 49 WEST

Present Owner J. M. SULLIVAN

OWNER'S CERTIFICATE

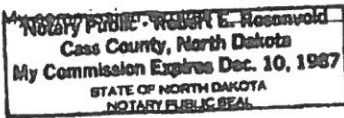
THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code as Rev. 1943, and upon demand of the County Auditor of Cass County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as therein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seals this 17th day of May, 19 85

In Presence of [Signature] (SEAL) [Signature] (SEAL) [Signature] (SEAL)

STATE OF NORTH DAKOTA } SS: County of Cass

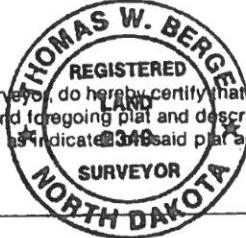
I, Robert E. Rosenvold, a Notary Public within and for said County, do hereby certify that on this 17th day of May, A.D. 19 85, personally appeared before me A. Cecilia Sullivan, Pers. Rep., to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that she executed the same freely and voluntarily.



[Signature of Robert E. Rosenvold]

SURVEYOR'S CERTIFICATE

I, THOMAS W. BERGE, Registered Land Surveyor, do hereby certify that at the request of J. M. SULLIVAN I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and location as indicated on said plat and contained in said description are true and correct.



Subscribed and sworn to before me this 22 day of [Signature] 19 85

My Commission expires [Signature] 19 [Signature]

D. L. [Signature] Notary Public, CASS COUNTY, N. DAK. My Commission Expires AUG. 31, 1988

PLAT OF

DOCUMENT NO. 630775 RECORDING FEE 7.00 chg.

Office of the Register of Deeds Cass County, N.D.

AUDITOR'S OFFICE COUNTY OF CASS, NORTH DAKOTA May 22 19 85 Delinquent Taxes and Special Assessments, or installments of Special Assessments, paid and transfer entered.

I hereby certify that the within instrument was filed for record in this office on the 22 day of May 19 85, at 8:12 o'clock AM., and was duly recorded on page 470 of Book [Signature] of Plats of Auditor's Misc Facts

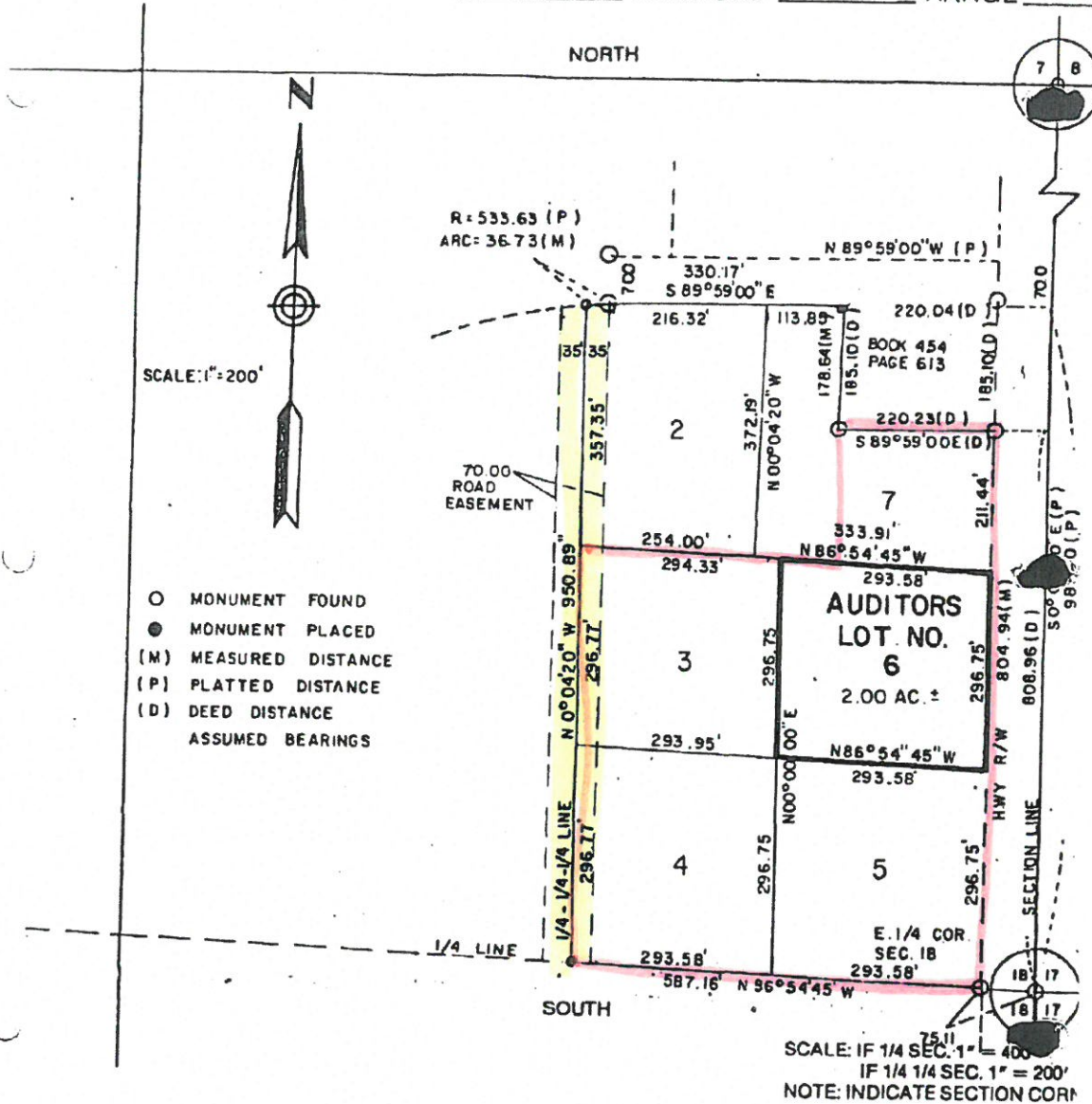
[Signature] Register of Deeds

By [Signature] Deputy

630776 PLAT OF

AUDITORS LOT NO. 6

PART OF NE 1/4 SECTION 18 TOWNSHIP 140 N RANGE 49 W



LOT NUMBER 6 OF PART OF NE 1/4 SECTION 18
 TOWNSHIP 140 N RANGE 49 W DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION EIGHTEEN (18); THENCE N 86° 54' 45" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF SEVENTY FIVE AND ELEVEN HUNDREDTHS (75.11) FEET; THENCE N 00° 00' 00" W PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 00° 00' 00" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET; THENCE N 86° 54' 45" W FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND FIFTY EIGHT HUNDREDTHS (293.58) FEET; THENCE S 00° 00' 00" E FOR A DISTANCE OF TWO HUNDRED NINETY SIX AND SEVENTY FIVE HUNDREDTHS (296.75) FEET; THENCE S 86° 54' 45" E FOR A DISTANCE OF TWO HUNDRED NINETY THREE AND FIFTY EIGHT HUNDREDTHS (293.58) FEET TO THE POINT OF BEGINNING.
 SAID TRACT CONTAINS 2.00 ACRES, MORE OR LESS.

471

471

SURVEY RECORD
PLAT OF
AUDITORS LOT NO. SIX

PART OF NE 1/4 Section 18 Township 140 NORTH Range 49 WEST

Present Owner J. M. SULLIVAN

OWNER'S CERTIFICATE

THE UNDERSIGNED, Owners of the within described property, in accordance with the provisions of Section 57-02-39 of the North Dakota Century Code as Rev. 1943, and upon demand of the County Auditor of Cass County, North Dakota, have caused to be made the within and foregoing plat of said land with the lots as therein described, and have caused the same to be placed on record, as provided by law.

Witness our hands and seals this 17th day of May, 19 85.

In Presence of _____ A. Cecilia Sullivan (SEAL)
_____ (SEAL)
_____ (SEAL)

STATE OF NORTH DAKOTA }
County of Cass } SS:

I, Robert E. Rosenvoid, a Notary Public within and for said County, do hereby certify that on this 17th day of May, A.D. 19 85, personally appeared before me A. Cecilia Sullivan, Pers. Rep., to me well known to be the same person described in and who executed the within and foregoing instrument and acknowledged that she executed the same freely and voluntarily.

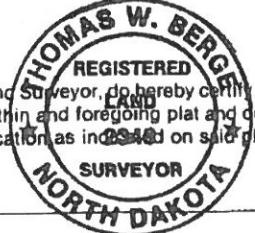
My commission expires _____, 19 _____

Notary Public - Robert E. Rosenvoid
Cass County, North Dakota
My Commission Expires Dec. 10, 1987
STATE OF NORTH DAKOTA
NOTARY PUBLIC SEAL

Robert Rosenvoid

SURVEYOR'S CERTIFICATE

I, THOMAS W. BERGE, Registered Land Surveyor, do hereby certify that at the request of J. M. SULLIVAN I made the within and foregoing plat and description of the land as herein described and that the lots, distances, area and location as indicated on said plat and contained in said description are true and correct.



Thomas W. Berge

Subscribed and sworn to before me this 22 day of June, 19 85

My Commission expires _____, 19 _____

Notary Public, Cass County, N. Dak.
My Commission Expires AUG. 31, 1988

PLAT OF

AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
May 22 1985
Delinquent Taxes and Special Assessments, or installments of Special Assessments, paid and transfer entered
Dale DeBruin
DEPUTY

DOCUMENT NO. 630776
RECORDING FEE 7.00 chg.

Office of the Register of Deeds
Cass County, N.D.

I hereby certify that the within instrument was filed for record in this office on the May 19 85, at 8:13 o'clock A.M., and was duly recorded on page 471 of Book _____ of Plats of Auditor's Miscellaneous

Deanna Pensrud
Register of Deeds

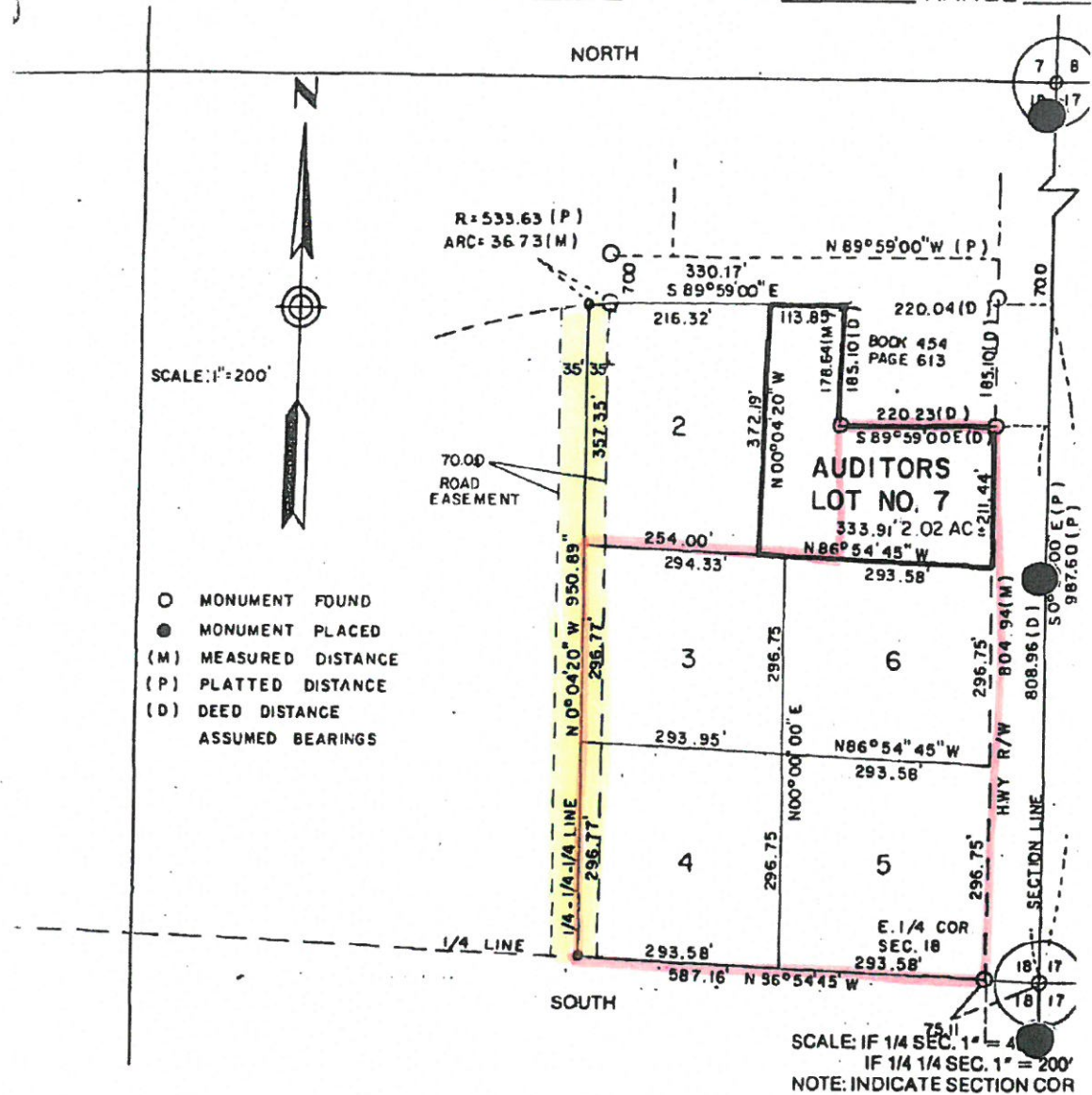
By Deanna Pensrud Deputy

172

630777 PLAT OF

AUDITORS LOT NO. 7

ART OF NE 1/4 SECTION 18 TOWNSHIP 140 N RANGE 49 W



LOT NUMBER 7 OF PART OF NE 1/4 SECTION 18
 TOWNSHIP 140 N RANGE 49 W DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION EIGHTEEN (18), TOWNSHIP ONE HUNDRED FORTY (140) NORTH, RANGE FORTY NINE (49) WEST, CASS COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION EIGHTEEN (18); THENCE N 86° 54' 45" W ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF SEVENTY FIVE AND ELEVEN HUNDREDTHS (75.11) FEET; THENCE N 00° 00' 00" W PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF FIVE HUNDRED NINETY THREE AND FIFTY HUNDREDTHS (593.50) FEET TO THE POINT OF BEGINNING; THENCE N 86° 54' 45" W FOR A DISTANCE OF THREE HUNDRED THIRTY THREE AND NINETY ONE HUNDREDTHS (333.91) FEET; THENCE N 00° 04' 20" W FOR A DISTANCE OF THREE HUNDRED SEVENTY TWO AND NINETEEN HUNDREDTHS (372.19) FEET TO A POINT ON THE SOUTH LINE OF SHEYENNE VALLEY FARMS SUBDIVISION; THENCE S 89° 59' 00" E ALONG THE SOUTH LINE OF SAID SHEYENNE VALLEY FARMS SUBDIVISION FOR A DISTANCE OF ONE HUNDRED THIRTEEN AND EIGHTY FIVE HUNDREDTHS (113.85) FEET; THENCE S 00° 03' 40" W FOR A DISTANCE OF ONE HUNDRED SEVENTY EIGHT AND SIXTY FOUR HUNDREDTHS (178.64) FEET; THENCE S 89° 59' 00" E FOR A DISTANCE OF TWO HUNDRED TWENTY AND TWENTY THREE HUNDREDTHS (220.23) FEET; THENCE S 00° 00' 00" E PARALLEL TO THE EAST LINE OF SAID NORTHEAST QUARTER (NE 1/4) FOR A DISTANCE OF TWO HUNDRED ELEVEN AND FORTY FOUR HUNDREDTHS (211.44) FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2.02 ACRES. MORE OR LESS

7/10/20
Gary & Linda Schultz
7105 48th Ave. N.
Harwood

Re: Planning Commission Hearing regarding variance for 5 lots owned by SLOT10 LLC

Of note, we live at the end of Island Drive, which is a platted private road accessing Lots 2,3,4, of Sheyenne Valley Farm Subdivision. On the information given to us for this meeting, it is incorrectly listed As 48th Ave. N. Our address for mail is 7105 48th Ave. N. however, the notification area incorrectly labels Island Drive as 48th Ave N. We would like to call attention to this error.

48th Ave. North is and always has been a private road. For the 40 years we have lived here, it has been maintained independently by the various households adjoining it. Future traffic from an additional household or households we fear would degrade the road by adding serious wear and tear. Why are these lots proposed by Slot10LLC not granted their own access to County Road 17 when other areas north and south of 48th Ave. have their own access?

Sometime in the past month, trucks from Border States Paving constructed and raised a road south of Blocks' private drive. We would like to know who authorized this construction on what appears to be a section line? Where were the concerns for the massive overland flooding that occurs in these fields? The west end of 48th Ave. N. goes under water during overland flooding, and a barrier like this could impede water flowing east to the drainage ditch, further jeopardizing access to our properties. Why were we not notified?

Puppe, Grace

From: Debra Krabbenhoft <debra.krabbenhoft@gmail.com>
Sent: Monday, August 17, 2020 12:30 PM
To: Puppe, Grace
Subject: Re: August 27th planning Meeting concerns

CAUTION: EXTERNAL EMAIL

Hi Grace,

I would like to express my concern on the road access off of 48th ave north that the people that own lots 3 and 4 want to use as there access to their property. The lots 1 and 2 and the properties directly to the west are all family property's. We are concerned of all the traffic and privacy that we will loose, along with the safety that we've had owning theses properties as family members, along with the potential flooding issues. Please relay these concerns to Jason the county engineer. Thank you very much Grace!

Also is it permissible to attend the meeting with a mask as we did at the last meeting?

Thank you

Debra Krabbenhoft

Puppe, Grace

From: LEVI GOERGEN <leviblue52@gmail.com>
Sent: Wednesday, August 5, 2020 3:47 PM
To: Puppe, Grace
Subject: Variance to combine lots 3-6 & part of lot 7, NE 1/4 of sec 18 of Reed Twp; to be returned to a 9 acre parcel

CAUTION: EXTERNAL EMAIL

I, Donald R Goergen, residing at 7205 48th Ave N, Harwood, ND 58042; do NOT want these lots changed.
I do NOT want any residential or business development on land, adjacent to Sheyenne Valley Farm Sub.
I don't want any more traffic congested, development, or excessive road wear, which will happen, IF these auditor's lots are developed or be allowed to have structures placed on them.
There is now, in place, a minimum of 40 acre, population density clause, to discourage less than 40acre development.
Neither Cass Co, nor Reed Twp, has approved development of the ingress easement to these lots.
This easement has just recently been raised; which will channel additional flood water, toward my property, which NOW will increase my flood water levels.
Please remove the elevated easement & restore it to it's previous level.
Sincerely yours,
Donald R Goergen
7205 48th Ave N, Harwood, ND 58042
tel 701 412 5220

Variance – Located in Reed Township

Date: 6/10/20

The property owner currently owns Auditor's Lots 3-7 in the Northeast Quarter of Section 18, Township 140 North, Range 49 West of the 5th Principal Meridian, Cass County North Dakota.



General Information:

Owner's Name:

Property Address: Rural Address

School District: WEST FARGO PUBLIC SCHOOL DISTRICT #6

Fire District:

Water District: W060

Year Built: 0

Frontage Length: 0

Depth Factor: 0

Lot Area: 9 ACRES

Legal Information:**Block:****Lot:**3-6, Part of Lot 7**Recorded Acres:**9**Description:** AUD LOT 3-6 and part of Lot 7 OF NE ¼ 18-140-49 A 2.00 (2 acres each)**Subdivision of Land**

The lots look to have been split in 2011 after the most recent version of our Subdivision Ordinance in 2006. These lot splits through Quit Claim Deeds would be for agricultural purposes, not for residential development. To add four new developable lot would require a deed restriction of 160 acres of adjacent land, which would be hard to do. The Northeast Quarter of Section 18 already has 10-12 residential properties that have been in place since before 2006.

The property owner is looking at joining the 5 lots back into a single parcel as they were prior to 2011 to grant a variance, as if the parcel hadn't been broken up in 2011 that he could have possibly put a home upon the larger parcel. The proposed driveway location is shown below.



Reed Township approved a building permit for this property with the condition that the lots were joined back into a single parcel.

We are seeking preliminary thoughts and recommendation from the County Planning Commission on the feasibility of subdividing this property.



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SW ¼ of Section 25, Township 137 North, Range 54 West		
Title:	Kellerman Erik Subdivision	Date:	08-05-2020
Location:	SW ¼ of Section 25, Township 137 North, Range 54 West (Highland Township)	Staff Contact:	Grace Puppe
Parcel Number:	45-0000-06706-020	Water District:	Maple River Water District
Owner(s)/Applicant:	Wayne Kellerman	Engineer/Surveyor:	Houston Engineering
Status:	Planning Commission Hearing: August 27, 2020		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Kellerman Subdivision** to plat a one (1) Lot subdivision of approximately 2.93 acres. According to the applicant, the subdivision is requested to separate the house and garage from remaining property.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 53rd St SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment. The property currently has a connection to water and electricity.

Agency Comments	
County Engineer	No comments were received prior to publishing the staff report.
Water Resource District	No comments were received prior to publishing the staff report.
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
Century Link	No comments were received prior to publishing the staff report.
Sprint	No comments were received prior to publishing the staff report.
AT&T	No comments were received prior to publishing the staff report.
Xcel Energy	No comments were received prior to publishing the staff report.
Otter Tail Power Company	No comments were received prior to publishing the staff report.
Magellan Pipeline Company	No comments were received prior to publishing the staff report.

NuStar Energy	No comments were received prior to publishing the staff report.
Cass Rural Water	Both Tract A and B have water service from CRWD. As a result we have no comment.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues with this subdivision.
Township Chairman	No comments were received prior to publishing the staff report.
The City of Fargo	No comments were received prior to publishing the staff report.
The City of West Fargo	No comments were received prior to publishing the staff report.
Public Comment	No comments were received prior to publishing the staff report.

Staff Analysis

Land Use and Surrounding Uses

The subject property is bound by agricultural production land on the north and west. A Residential lot borders the east. Township road 53rd St SE borders the south of the property.

Floodzone

According to the FEMA Flood Map Service Center, this property is currently unmapped and no Special Hazard Flood Area has been identified. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

Land Development Rights

The subject quarter-quarter section currently is developed and requires the transfer of a development right. Section 308 of the Cass County Subdivision Ordinance states that every quarter-quarter section is granted one (1) Development Right to create a buildable lot with a minimum of 40 acres. Because the lot subdivision proposal is less than 40 acres, a transfer of a development right is required along with a deed restriction.

Staff Recommendation

To accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application as the proposal 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 all other applicable regulations, with the following conditions:

1. A deed restriction be recorded that meets the requirements of Section 308 of the Cass County Subdivision Ordinance.

Attachments

1. Location Map
2. Plat Document

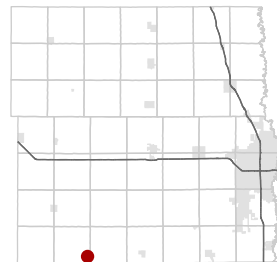
Minor Subdivision

Kellerman Erik Subdivision

Highland Twp. Section 25 - Township 137 North - Range 54 West

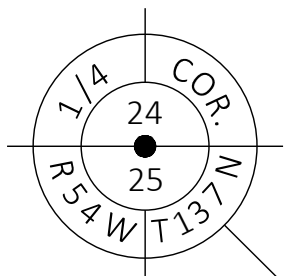


Cass County Planning Commission
August 27, 2020



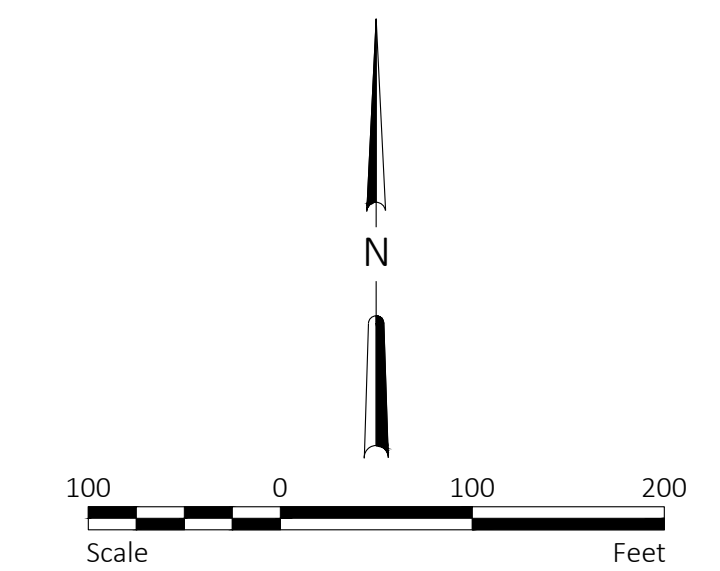
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.





KELLERMAN ERIK SUBDIVISION

BEING A PLAT OF PART OF THE SW 1/4 OF THE SE 1/4
 SEC. 25, T. 137 N., R. 54 W., 5th P.M.
 CASS COUNTY, NORTH DAKOTA

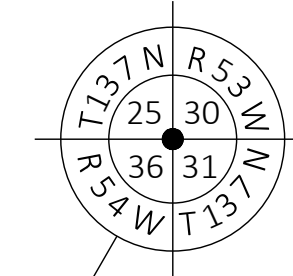
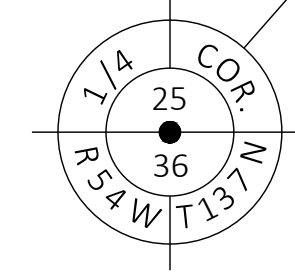
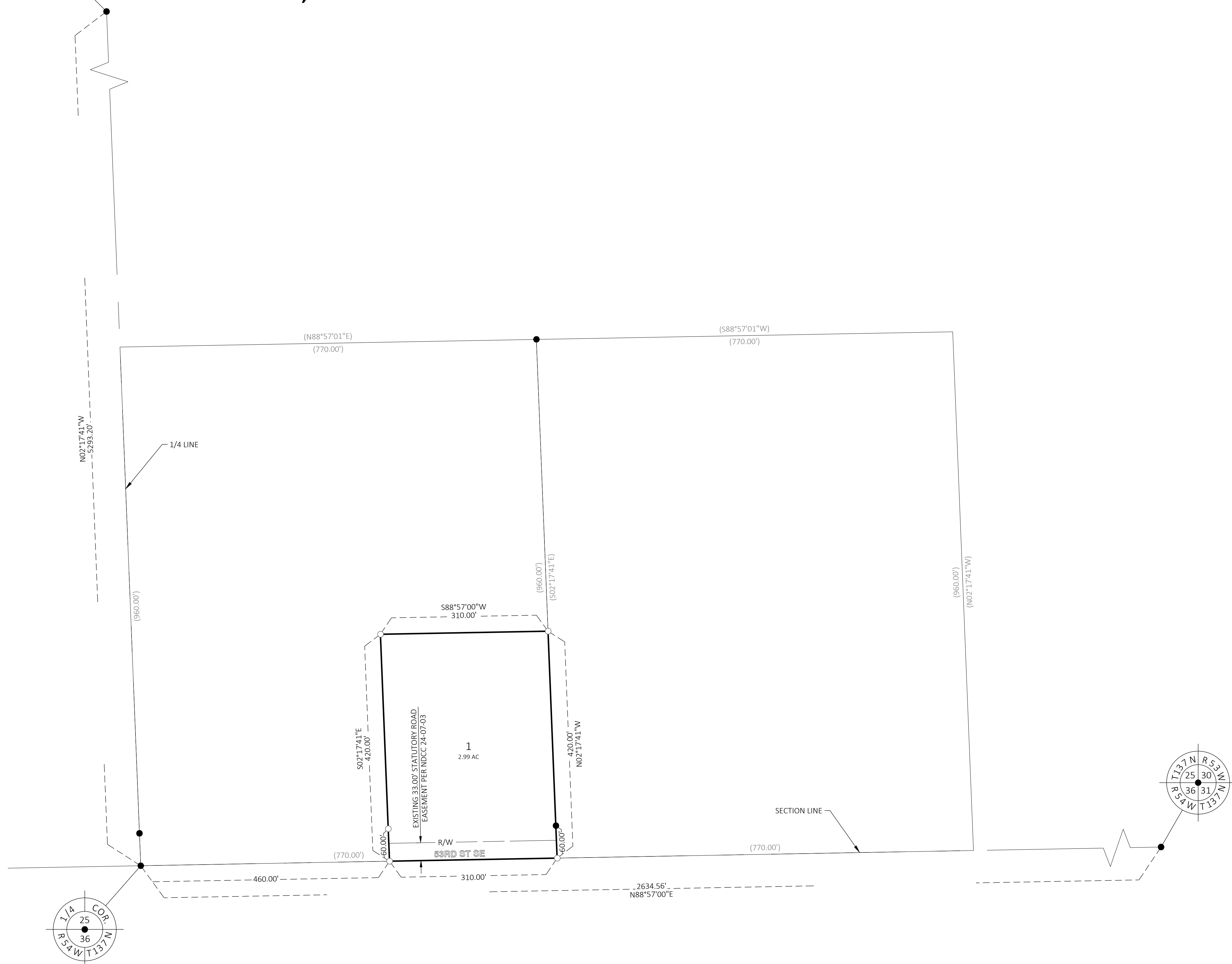


LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. PIPE SET	○
MEASURED BEARING	N00°00'00"E
PLAT BEARING	(N00°00'00"E)
MEASURED DISTANCE	100.00'
PLAT DISTANCE	(100.00')
PLAT BOUNDARY	—————
LOT LINE	—————
UTILITY EASEMENT	- - - - -
EXISTING LOT LINE	—————
EXISTING UTILITY EASEMENT	- - - - -
NEGATIVE ACCESS EASEMENT	▨

BEARINGS SHOWN ARE BASED ON THE
 NORTH DAKOTA STATE PLANE COORDINATE
 SYSTEM (NAD83) - SOUTH ZONE

H:\IBK\7300\7381_0003\CAD\7381-0003 Kellerman Erik subdivision.dwg-Layout1-8/14/2020 12:53 PM-(dbuchholtz)



KELLERMAN ERIK SUBDIVISION

BEING A PLAT OF PART OF THE SW 1/4 OF THE SE 1/4
SEC. 25, T. 137 N., R. 54 W., 5th P.M.

CASS COUNTY, NORTH DAKOTA

Owner:
Wayne K. Kellerman Revocable Living Trust
under agreement dated June 15, 2010

Wayne K. Kellerman, Trustee

State of North Dakota)
) ss
County of Cass)

On this ____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared Wayne K. Kellerman, Trustee for the Wayne K. Kellerman Revocable Living Trust under agreement dated June 15, 2010, known to be the person described in and who executed the foregoing instrument and acknowledged that he executed same on behalf of said trust.

Notary Public: _____

Surveyor's Certificate:

I, James A. Schlieman, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify on this ____ day of _____, 20____, that the plat hereon is a true and correct representation of the survey thereof, that all distances are correctly shown on said plat in feet and decimals of a foot, and that the monuments for the guidance of future surveys have been placed in the ground as shown.

James A. Schlieman
North Dakota PLS No. 6086
jschlieman@houstoneng.com

State of North Dakota)
) ss
County of Cass)

On this ____ day of _____, 20____, before me, a notary public within and for said county and state, personally appeared James A. Schlieman, known to be the person described in and who executed the foregoing instrument and acknowledged that he executed same as his free act and deed.

Notary Public: _____

Cass County Engineer:

Reviewed by the Cass County Engineer this ____ day of _____, 20____.

Jason Benson, Cass County Engineer

Cass County Planning Commission:

Reviewed by the Cass County Planning Commission this ____ day of _____, 20____.

Ken Lougheed, Chair

Attest: _____
Secretary

Highland Township:

Reviewed by Highland Township, Cass County, North Dakota, this ____ day of _____, 20____.

Dean Sprunk, Chair

Attest: _____
Christina Sprunk, Clerk/Treasurer

Cass County Board of Commissioners' Approval:

Approved by Cass County, North Dakota, this ____ day of _____, 20____.

Chad Peterson, Chair

Attest: _____
Michael Montplaisir, Cass County Auditor

Owners' Certificate and Dedication:

Know All Persons By These Presents: That the Wayne K. Kellerman Revocable Living Trust under agreement dated June 15, 2010 is the owner and proprietor of the following described tract of land:

That part of the Southwest Quarter of the Southeast Quarter of Section 25, Township 137 North, Range 54 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at the southwest corner of said Southeast Quarter; thence North 88°57'00" East, along the southerly line of said Southeast Quarter, for a distance of 460.00 feet to the true point of beginning; thence North 88°57'00" East, along the southerly line of said Southeast Quarter, for a distance of 310.00 feet; thence North 02°17'41" West for a distance of 420.00 feet; thence South 88°57'00" West, parallel with the southerly line of said Southeast Quarter, for a distance of 310.00 feet; thence South 02°17'41" East for a distance of 420.00 feet to the true point of beginning.

Said tract contains 2.99 acres, more or less.

And that said party has caused the same to be surveyed and platted as **KELLERMAN ERIK SUBDIVISION** and does hereby dedicate to the public, for public use, the public highway and the easements as shown on the plat.

In witness whereof we have set our hands and seals:

H:\IBK\7300\7381\0003\CAD\7381-0003 Kellerman Erik Subdivision.dwg-Layout2-8/14/2020 12:53 PM-(dbuchholtz)





Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SW ¼ of Section 32, Township 138 North, Range 50 West		
Title:	KFNW AM 1200 Subdivision	Date:	07-29-2020
Location:	SW ¼ of Section 32, Township 138 North, Range 50 West (Warren Township)	Staff Contact:	Grace Puppe
Parcel Number:	67-0000-12753-000	Water District:	Maple River Water District
Owner(s)/Applicant:	David Houkom	Engineer/Surveyor:	Scott Jones
Status:	County Commission Hearing: August 3, 2020		

Existing Land Use	Proposed Land Use
Agriculture	Commercial
Proposal	

The applicant is seeking approval of a minor subdivision entitled **KFNW AM 1200 Subdivision** to plat a one (1) Lot subdivision of approximately 13.02 acres. According to the applicant, the subdivision is requested since KFNW is relocating its AM Radio towers to this property due to the sale of the land the tower array currently occupies.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing County Road 16 road access and ditches for storm sewer conveyance.

Agency Comments	
County Engineer	No comments were received prior to publishing the staff report.
Water Resource District	No comments were received prior to publishing the staff report.
Cass County Electric Cooperative	No comments were received prior to publishing the staff report.
Century Link	No comments were received prior to publishing the staff report.
Sprint	No comments were received prior to publishing the staff report.
AT&T	No comments were received prior to publishing the staff report.
Xcel Energy	No comments were received prior to publishing the staff report.
Otter Tail Power Company	No comments were received prior to publishing the staff report.

Magellan Pipeline Company	No comments were received prior to publishing the staff report.
NuStar Energy	No comments were received prior to publishing the staff report.
Cass Rural Water	The application indicates no water service is needed. There is a water line that runs east to west on the north side of 48 th St.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues with this subdivision.
Township Chairman	No comments were received prior to publishing the staff report.
The City of Fargo	No comments were received prior to publishing the staff report.
The City of West Fargo	No comments were received prior to publishing the staff report.
Public Comment	No comments were received prior to publishing the staff report.

Staff Analysis

Land Use and Surrounding Uses
 The subject property is bound by agricultural production land on the east, west and south. The railroad borders the north side of the property.

Floodzone
 According to the FEMA Flood Map Service Center, this property is located in Special Hazard Flood Area Zone X. In addition, no wetlands or other notable features are present on the proposed subdivision Lot.

Land Development Rights
 The subject quarter-quarter section currently is developed and requires the transfer of a development right. Section 308 of the Cass County Subdivision Ordinance states that every quarter-quarter section is granted one (1) Development Right to create a buildable lot with a minimum of 40 acres. Because the lot subdivision proposal is less than 40 acres, a transfer of a development right is required along with a deed restriction.

Staff Recommendation

To accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application as the proposal 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 all other applicable regulations, with the following conditions:

1. A deed restriction be recorded that meets the requirements of Section 308 of the Cass County Subdivision Ordinance.

Attachments

1. Location Map
2. Plat Document

Minor Subdivision

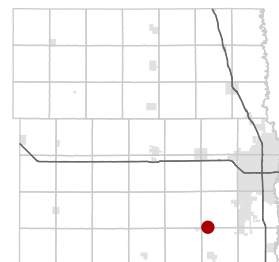
KFNW AM 1200 Subdivision

Warren Twp. Section 32 - Township 138 North - Range 50 West



Imagery: NAIP, North Dakota 2019 30cm

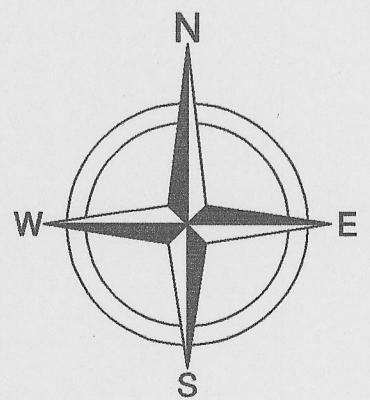
Cass County Planning Commission
August 27, 2020



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**PLAT OF
KFNW SUBDIVISION
(A MINOR SUBDIVISION PLAT)
A PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 32 TOWNSHIP
138 NORTH, RANGE 50 WEST OF THE 5TH PRINCIPAL MERIDIAN,
CASS COUNTY, NORTH DAKOTA.**



0 100
Scale in Feet

BASIS OF BEARINGS: THE WEST LINE OF 32 HAS AN ASSUMED BEARING OF N03°20'22\"/>

AREA OF DEDICATED ROADS: 1.66 ACRES.
TOTAL PLAT AREA: 13.02 ACRES.

LEGEND
● IRON MONUMENT FOUND
○ SET 5/8\"/>

CASS COUNTY PLANNING COMMISSION REVIEW
REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 2020.

SIGNED: _____
KEN LOUGHEED, CHAIRPERSON

ATTEST: _____
TOM SOUCY, SECRETARY

CASS COUNTY BOARD OF COMMISSION'S APPROVAL
APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2020.

SIGNED: _____
CHAD PETERSON, CHAIRMAN

ATTEST: _____
MICHAEL MONTPLASIR, CASS COUNTY AUDITOR

CERTIFICATE
SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE PROFESSIONAL LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "KFNW SUBDIVISION", A PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 138 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID SUBDIVISION IS DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 138 NORTH, RANGE 50 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

THE SOUTH 1095.00 FEET OF THE WEST 518.00 FEET OF SAID SOUTHWEST QUARTER, AS MEASURED AT A RIGHT ANGLE TO AND PARALLEL WITH THE SOUTH AND WEST LINES OF SAID SOUTHWEST QUARTER.

SAID TRACT CONTAINS 13.02 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

PRELIMINARY

SHAWN M. THOMASSON
PROFESSIONAL LAND SURVEYOR
ND PLS #5900

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND DESCRIBED IN THE PLAT OF "CORNELL SECOND SUBDIVISION", A REPLAT OF LOT 1, BLOCK 1 CORNELL FIRST SUBDIVISION AND A PLAT OF PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 141 NORTH, RANGE 55 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, PROFESSIONAL LAND SURVEYOR AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED PROFESSIONAL LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL HIGHWAYS, AVENUES, AND UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: DAVID P. HOUKOM

DAVID P. HOUKOM

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DAVID P. HOUKOM, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WARREN TOWNSHIP REVIEW
REVIEWED BY CORNELL TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2020.

SIGNED: _____
RANDY HAJEK, CHAIRPERSON

ATTEST: _____
VANCE KEMMER, TREASURER

COUNTY ENGINEER REVIEW
REVIEWED BY THE CASS COUNTY ENGINEER THIS _____ DAY OF _____, 2020.

SIGNED: _____
JASON BENSON, CASS COUNTY ENGINEER

