

## **MEMORANDUM**

TO: Cass County Board of Commissioners

FROM: Grace Puppe, Cass County Planner

DATE: August 27, 2020

SUBJECT: Consent Agenda Topic for the September 8,  
2020 Commission Meeting: KFNW AM 1200  
Subdivision Application

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The Cass County Planning Commission reviewed the application of the proposed subdivision located in Warren Township, Section 32 at a Public Hearing on August 27, 2020. The intended purpose of the subdivision is to plat the location that KFNW is relocating its AM radio towers to.

The Planning Commission is recommending approval of the proposed plat entitlement request and Warren Township has verified that they do not have township zoning requirements. Therefore, the Planning Commission recommendation is forwarded to the Cass County Board of Commissioners for action.

### **SUGGESTED MOTION:**

To accept the findings and recommendations of the Planning Commission and staff and recommend approval of the Final Plat, 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.



## Cass County Planning Commission Staff Report

<b>Entitlements Requested:</b>	<b>Minor Subdivision (1 Lot)</b> of a part of the SW ¼ of Section 32, Township 138 North, Range 50 West		
<b>Title:</b>	<b>KFNW AM 1200 Subdivision</b>	<b>Date:</b>	07-29-2020
		<b>Update:</b>	08-27-2020
<b>Location:</b>	SW ¼ of Section 32, Township 138 North, Range 50 West (Warren Township)	<b>Staff Contact:</b>	Grace Puppe
<b>Parcel Number:</b>	67-0000-12753-000	<b>Water District:</b>	Maple River Water District
<b>Owner(s)/Applicant:</b>	David Houkom	<b>Engineer/Surveyor:</b>	Scott Jones
<b>Status:</b>	County Commission Hearing: September 8, 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	
<b>County Engineer</b>	No comments were received prior to publishing the staff report.
<b>Water Resource District</b>	No comments were received prior to publishing the staff report.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.

<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.
<b>Magellan Pipeline Company</b>	No comments were received prior to publishing the staff report.
<b>NuStar Energy</b>	No comments were received prior to publishing the staff report.
<b>Cass Rural Water</b>	The application indicates no water service is needed. There is a water line that runs east to west on the north side of 48 <sup>th</sup> St.
<b>North Dakota Department of Transportation</b>	No comments were received prior to publishing the staff report.
<b>County Sanitarian</b>	No issues with this subdivision.
<b>Township Chairman</b>	No comments were received prior to publishing the staff report.
<b>The City of Fargo</b>	No comments were received prior to publishing the staff report.
<b>The City of West Fargo</b>	No comments were received prior to publishing the staff report.
<b>Public Comment</b>	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 the Planning Commission and 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. Plat Document
3. Deed Restriction



# Minor Subdivision

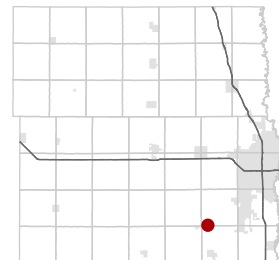
KFNW AM 1200 Subdivision

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



Imagery: NAIP, North Dakota 2019 30cm

Cass County Planning Commission  
August 27, 2020

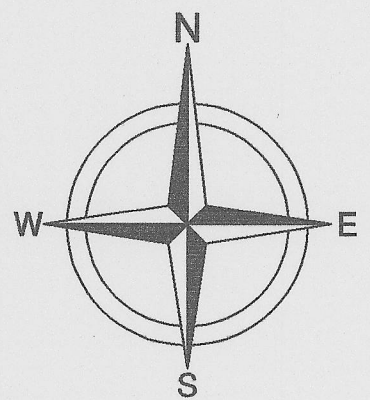


Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.





**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"E

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

**LEGEND**  
● IRON MONUMENT FOUND  
○ SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #5900

**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

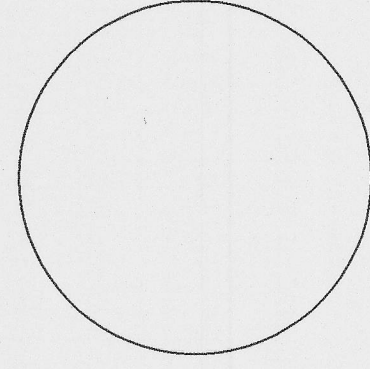
**WARREN TOWNSHIP REVIEW**  
REVIEWED BY CORNELL TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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





## DEED RESTRICTION

Pursuant to Section 309 of the Cass County Subdivision Ordinance, this **DEED RESTRICTION** is entered into this 12<sup>th</sup> day of August, 2020 by

Owner(s): David P. Houkom

### 1. PURPOSE

The owner recognizes the following agreement is set forth to encourage orderly and economically-feasible growth, prevent new developments from creating economic strains on county residents, protect the county's valuable farmland and agricultural traditions and promote development that will more easily convert to an urban environment and implement the goals and objectives established by the most current Cass County Comprehensive Plan. The following agreement will promote small, truly rural developments that will mesh more easily with existing agricultural land and activities and will encourage larger urban style subdivisions to develop in the urban fringe and other areas with supportive infrastructure. Developments built beyond the density restriction will be constructed with full supportive urban infrastructure, ensuring developments that will more easily transition into an urban development upon annexation without extensive and costly infrastructure upgrades.

### 2. AGREEMENT

WHEREAS, for the granting of the division described herein pursuant to Section 309 of the Cass County Subdivision Ordinance, acknowledged herein as good and valuable consideration, the Owner(s) consent and agree to the filing of this **DEED RESTRICTION**, and understand that its effect will be to limit any further residences, divisions, or nonagricultural development on the restricted parcel described herein, except as may be permitted by Section 309.02 of the Cass County Subdivision Ordinance and any amendment thereto:

- A. This **DEED RESTRICTION** shall terminate at such time the deed restricted parcel is completely within the extraterritorial (ET) boundaries of an incorporated city of Cass County;
- B. This **DEED RESTRICTION** shall terminate at such time the restricted parcel is completely annexed by an incorporated city of Cass County; or
- C. Any further subdivision of the restricted parcel will conform to full urban design standards and the strictest requirements outlined within Article VI of the Cass County Subdivision Ordinance, including, but not limited: paved roads with curb and gutter, a paved access road, municipal sewer system, public water supply system with functioning fire hydrants, storm water facilities, street lights, street trees, street signs, sidewalks, bike paths, and park dedications.

WHEREAS, this **DEED RESTRICTION** shall run with the land in perpetuity and be binding on all owners, successors, heirs, assigns, lessees, users, or parties having or acquiring any right, title, or interest in the restricted parcel herein described or any part thereof.

WHEREAS, the restricted parcel described herein meets the criteria established in Section 308 of the Cass County Subdivision Ordinance.

WHEREAS, this **DEED RESTRICTION** shall expire at such time any of the exceptions under Section 309.02 of the Cass County Subdivision Ordinance, and any amendment thereto, apply to the restricted parcel described herein. Upon the written request of any interested party, the Cass County Engineer is authorized to record an instrument with the Cass County Recorder, which declares such an exception applies to the restricted parcel described herein and the **DEED RESTRICTION** is expired.

**3. VIOLATION OF DEED RESTRICTION**

In the event of a violation of this **DEED RESTRICTION**, the penalties and remedies provided under Section 906 (Penalties and Violations) of the Cass County Subdivision Ordinance and North Dakota law shall apply.

**4. LEGAL DESCRIPTION OF THE RESTRICTED PARCEL**

That part of the Southwest Quarter of Section 32, Township 138 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota, lying 405.00 feet southeasterly of the southeasterly right of way line of the Red River Valley and Western Railroad, as measured at a right angle to and parallel with said right of way line, EXCEPTING therefrom the west 518.00 feet of said Southwest Quarter, as measured at a right angle to and parallel with the west line of said Southwest Quarter.

AND

The west 518.00 feet of said Southwest Quarter, lying south of said southeasterly right of way line, EXCEPTING therefrom the south 1095.00 feet of said west 518.00 feet, as measured at a right angle to and parallel with the south and west lines of said Southwest Quarter.

Said tract contains 27.00 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

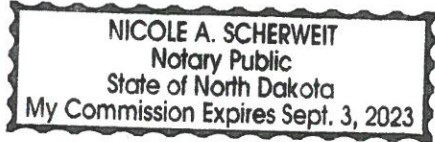


IN WITNESS of the restrictions, the Owner(s) have caused this DEED RESTRICTION to be executed effective as of:

[Signature]  
Owner(s) Signature

8/12/2020  
Date

State of North Dakota )  
  ) ss  
County of Cass )



On this 12<sup>th</sup> day of August 2020, before me, a notary public within and for said county and state, personally appeared David P. Harkom, known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same.

[Signature]  
Notary Public

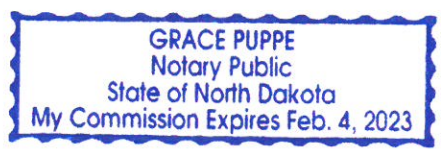
The foregoing instrument was acknowledged before me, this 24<sup>th</sup> day of August, 2020, by Jason Benson, County Engineer.

[Signature]  
County Engineer Signature

8/24/20  
Date

State of North Dakota )  
  ) ss  
County of Cass )

On this 24<sup>th</sup> day of August, 2020, before me, a notary public within and for said county and state, personally appeared Jason Benson, County Engineer, known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.



[Signature]  
Notary Public

## **MEMORANDUM**

TO: Cass County Board of Commissioners

FROM: Grace Puppe, Cass County Planner

DATE: August 27, 2020

SUBJECT: Consent Agenda Topic for the September 8,  
2020 Commission Meeting: Kellerman Erik  
Subdivision Application

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The Cass County Planning Commission reviewed the application of the proposed subdivision located in Highland Township, Section 25 at a Public Hearing on August 27, 2020. The intended purpose of the subdivision is separate the house and garage from remaining property.

The Planning Commission is recommending approval of the proposed plat entitlement request and Highland Township has verified that they do not have township zoning requirements. Therefore, the Planning Commission recommendation is forwarded to the Cass County Board of Commissioners for action.

### **SUGGESTED MOTION:**

To accept the findings and recommendations of the Planning Commission and staff and recommend approval of the Final Plat, 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.



## Cass County Planning Commission Staff Report

<b>Entitlements Requested:</b>	<b>Minor Subdivision (1 Lot)</b> of a part of the SW ¼ of Section 25, Township 137 North, Range 54 West		
<b>Title:</b>	<b>Kellerman Erik Subdivision</b>	<b>Date:</b>	08-05-2020
		<b>Update:</b>	08-27-2020
<b>Location:</b>	SW ¼ of Section 25, Township 137 North, Range 54 West (Highland Township)	<b>Staff Contact:</b>	Grace Puppe
<b>Parcel Number:</b>	45-0000-06706-020	<b>Water District:</b>	Maple River Water District
<b>Owner(s)/Applicant:</b>	Wayne Kellerman	<b>Engineer/Surveyor:</b>	Houston Engineering
<b>Status:</b>	County Commission Hearing: September 8, 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 53<sup>rd</sup> 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

<b>County Engineer</b>	No comments were received prior to publishing the staff report.
<b>Water Resource District</b>	No comments were received prior to publishing the staff report.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.
<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.



<b>Magellan Pipeline Company</b>	No comments were received prior to publishing the staff report.
<b>NuStar Energy</b>	No comments were received prior to publishing the staff report.
<b>Cass Rural Water</b>	Both Tract A and B have water service from CRWD. As a result we have no comment.
<b>North Dakota Department of Transportation</b>	No comments were received prior to publishing the staff report.
<b>County Sanitarian</b>	No issues with this subdivision.
<b>Township Chairman</b>	No comments were received prior to publishing the staff report.
<b>The City of Fargo</b>	No comments were received prior to publishing the staff report.
<b>The City of West Fargo</b>	No comments were received prior to publishing the staff report.
<b>Public Comment</b>	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 53<sup>rd</sup> 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 the Planning Commission and 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. Plat Document
3. Deed Restriction

# Minor Subdivision

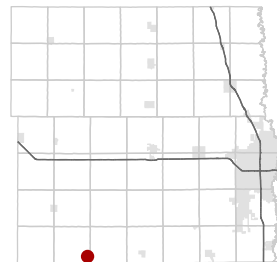
## Kellerman Erik Subdivision

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



imagery: NAIP, North Dakota 2019 30cm

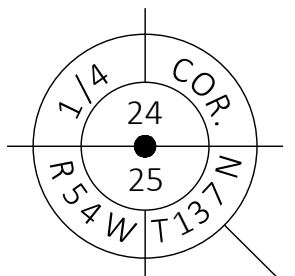
Cass County Planning Commission  
August 27, 2020



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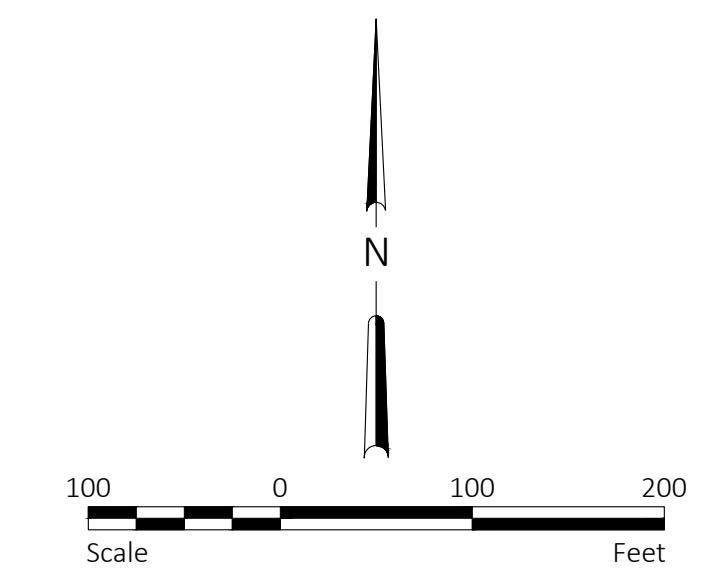






# KELLERMAN ERIK SUBDIVISION

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

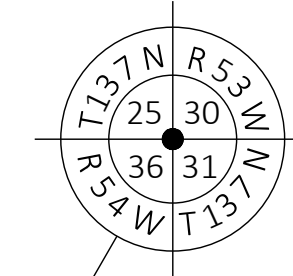
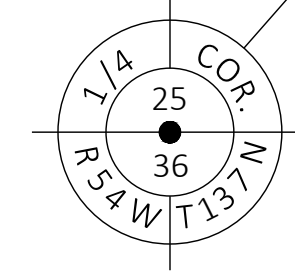
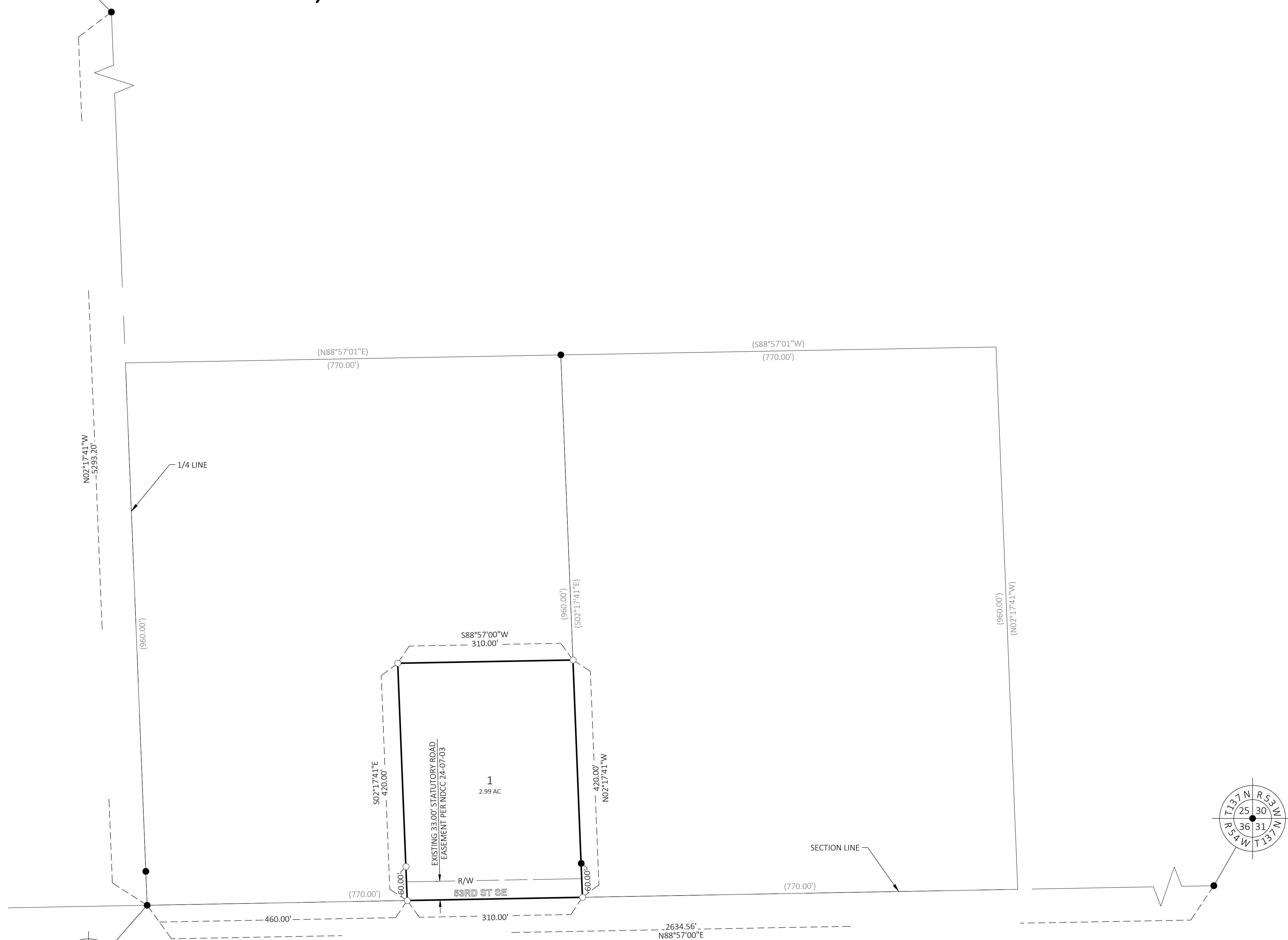


**LEGEND**

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](mailto: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)

