



**MEMORANDUM**

**Highway  
Department**

Jason Benson, P.E.  
County Engineer

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

Blaine Laaveg  
Superintendent

TO: Cass County Commission

FROM: Jason Benson, Cass County Engineer *JPB*

DATE: November 23, 2021

SUBJECT: Agenda topic for for December 6, 2021 Commission Meeting: Sale of the Davenport Shop to KNDPA Township Group

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On November 15<sup>th</sup>, 2021, the Cass County Building Committee and Road Advisory Committee both approved a motion that the Davenport Shop located at 110 1st Ave, Davenport, ND 58021, be sold to the Township Group "KNDPA Better Roads League" made up of Addison, Davenport, Normanna, and Pleasant Townships. The Township group and Cass County have agreed on a sale price of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the Davenport shop.

I have worked with the Cass County States Attorney's office and it has been determined that the North Dakota Century Code under section 11-27-03.1 provides the board of county commissioners may, by resolution, sell real property in a manner other than by public sale.

I am requesting the Cass County Board of Commissioners approve the motion below and the attached resolution to move forward with the sale of the Davenport Shop located at 110 1st Ave, Davenport, ND 58021 to the Township Group.

**SUGGESTED MOTION:** Move that the Cass County Board of Commissioners approves the sale of the Davenport Shop and adopts Resolution #14.

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

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

RESOLUTION #14

Commissioner \_\_\_\_\_ introduced the following resolution and moved its adoption:

A RESOLUTION TO SELL PROPERTY OWNED BY CASS COUNTY TO THE TOWNSHIP GROUP  
"KNDPA BETTER ROADS LEAGUE" MADE UP OF ADDISON, DAVENPORT, NORMANNA, AND  
PLEASANT TOWNSHIPS

**Whereas:** N.D.C.C. § 11-27-03.1 provides the board of county commissioners may, by resolution, sell real property in a manner other than by public sale.

**Whereas:** Cass County currently owns a maintenance shop in Davenport (Davenport shop) located at 110 1st Ave, Davenport, ND 58021, with the following legal description: Broten & Qualey's 2nd W 25' Lot 1 Block 3 AND 1/2 of vacated Cooke St adjacent

**Whereas:** Cass County has no particular use for this property at this time and wishes to sell the Davenport shop to the Township group known as KNDPA Better Roads League for the purpose of storing a motor grader owned by the Township group.

**Whereas:** The parties have agreed on a price of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the Davenport shop. The parties agree this is a fair market price for the Davenport shop.

**Whereas:** The statute allows the county commission to engage a licensed real estate broker to sell the property and provide a maximum rate of fee, compensation, or commission. The parties agree neither of these provisions are necessary to accomplish this transaction.

**Now, therefore, Be it resolved** by the Cass County Board of Commissioners that Cass County sell the Davenport Property located at 110 1st Ave, Davenport, ND 58021, with the following legal description: Broten & Qualey's 2nd W 25' Lot 1 Block 3 AND 1/2 of vacated Cooke St adjacent, to the KNDPA Township Group for a sum of One Hundred Twenty Five Thousand Dollars (\$125,000).

Dated this 6<sup>th</sup> day of December, 2021.

ATTEST:

APPROVED:

\_\_\_\_\_  
Brandy Madrigga  
Cass County Finance Director

\_\_\_\_\_  
Rick Steen, Chairman  
Cass County Commission Chairman

The motion for adoption of the foregoing resolution was duly seconded by Commissioner \_\_\_\_\_, and upon roll call vote, the following voted in favor thereof: \_\_\_\_\_ . The following were absent \_\_\_\_\_ and not voting: \_\_\_\_\_. The following voted against the same: \_\_\_\_\_. The majority having voted aye, the resolution was duly passed and adopted.