

Planning & Development 225 4th Street North Fargo, ND 58102 Office: 701.241.1474 | Fax: 701.241.1526 Email: planning@FargoND.gov www.FargoND.gov

MEMORANDUM

TO: Cass County Commissioners

- From: Donald Kress, Fargo Department of Planning and Development
- Date: June 1st, 2022

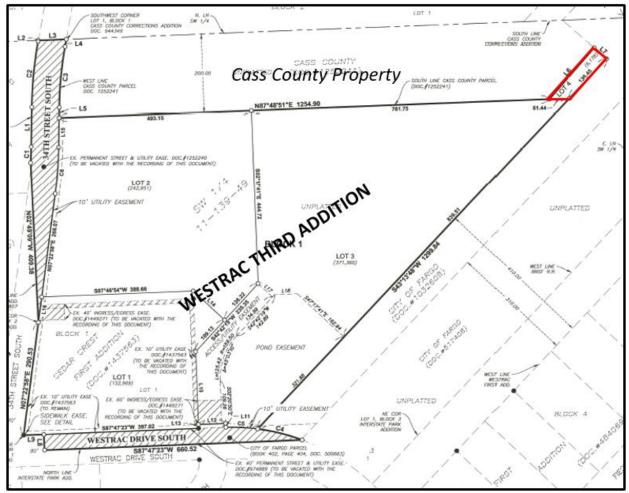
RE: Accepting ownership of Lot 4, Westrac Third Addition, for Cass County

The Westrac Third Addition is located along 34th Street and Westrac Drive South, as shown in the graphic below. This subdivision borders property owned by Cass County for the Cass County Jail.



This plat creates four lots. Lots 1, 2, and 3 are for commercial and industrial development. Lot 4, outlined in red in the graphic below, was created to resolve ambiguity between land descriptions and recent field survey measurements. Question was brought to light as to the original intent of previous land transfers. It appears that this property may, in fact, have been intended to be previously transferred to Cass County. However, a "gap" between City of Fargo and Cass County property has been discovered due to a recent survey. It is the intent of this plat that Cass County accept ownership of Lot 4, Block 1, Westrac Third Addition.





Lot 4 is to be zoned LI, Limited Industrial, which matches the zoning of the Cass County Jail as depicted on Fargo's zoning map:

The Westrac Third Addition was approved by the Fargo City Commission on May 31st, 2022.

A copy of the plat is attached.

RECOMMENDED MOTION:

To authorize the Cass County Commission chair to sign the Westrac Third Addition subdivision plat in order to take ownership of Lot 4, Block 1 of that subdivision for Cass County.

WESTRAC THIRD ADDITION

TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA A REPLAT OF LOT 1, BLOCK 1 OF CEDAR CREST FIRST ADDITION TO THE CITY OF FARGO, AND A PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA AND A VACATION OF STREET, UTILITY, AND INGRESS/EGRESS EASEMENTS LYING AND BEING WITH THE BOUNDARY OF THE PLAT AS DESCRIBED HEREIN (A MAJOR SUBDIVISION)

OWNER'S CERTFICIATE

KNOW ALL PERSONS BY THESE PRESENTS, That the Prairie Ridge 4 LLLP, a North Dakota limited liability limited partnership, as owners of Lot 1, Block 1 of Cedar Crest First Addition to the City of Fargo, Cass County, North Dakota, and JWPT LLC a North Dakota limited liability company, Sofar Properties LLP a North Dakota limited liability partnership, and the City of Fargo, as owners of part of the Southwest Quarter of Section 11, Township 139 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Beginning at the southwest corner of CEDAR CREST FIRST ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County; thence North 07 degrees 22 minutes 58 seconds East on the west line of said Lot 1, a distance of 290.53 feet to the northern most point of Block 2 of RUNCK'S FIRST ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County; thence North 02 degrees 49 minutes 09 seconds West on the east line of said RUNCK'S FIRST In the otrice of the Recorder, said County; thence North 02 degrees 49 minutes 09 seconds West on the east line of said RUNCK'S FIRST ADDITION a distance of 409.38 feet to a point of intersection with the east line of RUNCK'S FOURTH ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County; thence northerly 41.10 feet on said east line along a non-tangential curve concave to the west, having a radius of 965.00 feet and a central angle of 02 degrees 26 minutes 26 seconds, the chord of said curve bears North 01 degrees 58 minutes 18 seconds East a distance of 41.10 feet; thence North 00 degrees 45 minutes 03 seconds East on said east line and tangent to said curve a distance of 102.03 feet; thence northerly 167.75 feet on said east line and along a tangential curve concave to the east, having a radius of 1,035.00 feet and a central angle of 09 degrees 17 minutes 12 seconds, the chord of said curve bears North 05 degrees 23 minutes 38 seconds East a distance of 167.57 feet; thence North 10 degrees 02 minutes 13 seconds East and seat line and tangent to have a described curve described of the distance of 167.57 feet; thence North 10 degrees 02 minutes 13 seconds East a distance of 167.57 feet; thence North 10 degrees 02 minutes 14 seconds East a distance of 13.50 feet to a central distance file of the distance file of the constance of the file of the distance file of the distance file of the constance of the file of the distance file file of the distance of the file of the distance fil minutes 13 seconds East on said east line and tangent to last described curb a distance of 3.38 feet to a point of intersection with the north line of said Southwest Quarter; thence North 87 degrees 48 minutes 51 seconds East on said north line a distance of 71.62 feet to the southwest corner of CASS COUNTY CORRECTIONS ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County; thence South 10 degrees 02 minutes 13 seconds West on the west line of a tract of land described in a Warranty Deed, Document No. 1252241, recorded December 19, 2008, on file and of record in the office of the Recorder, said County a distance of 18.54 feet; thence 156.41 feet on said west line along a tangential curve concave to the east, having a radius of 965.00 feet and a central angle of 09 degrees 17 minutes 12 seconds, the chord of said curve bears South 05 degrees 23 minutes 38 seconds West a distance of 156.24 feet; thence South 00 degrees 45 minutes 03 seconds West, tangent to said curve and continuing along said west line a distance of 10027 feet to a point of intersection with a line 200.00 feet south and parallel with the north line of said Southwest Querter; thence North 87 degrees 48 minutes 51 seconds East on said line a distance of 1254.90 feet; thence North 41 degrees 10 minutes 41 seconds East a distance of 173.67 feet to the point of intersection with the southwesterly line of a tract of land described in a Warranty Deed, Document No. 1032608, recorded December 29, 2002, on file and of record in the office of the Recorder, said County; there South 48 degrees 49 minutes 19 seconds East on said southwesterly line a distance of 42.36 feet to the westerly corner of said tract; thence South 43 degrees 49 minutes 19 seconds Lost of said southwestery line a distance of 42.36 feet to the Westery corner of said tract, thence south 43 degrees 13 minutes 48 seconds West on the northwesterly line of said tract a distance of 129.84 feet to a point of intersection with the northerly line of a tract of land described in a Quit Claim Deed, Book 402, Page 404 (Document No. 500663), recorded March 31, 1976, on file and of record in the office of the Recorder, said County, thence southeasterly 117.62 feet along a non-tangential curve concave to the south, said curve has a radius of 524.29 feet and a central angle of 12 degrees 51 minutes 14 seconds, the chord of said curve bears South 76 degrees 04 minutes 00 seconds East a distance of 117.37 feet to the north line of INTERSTATE PARK ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, said County; thence South 87 degrees 47 minutes 23 seconds West, not tangent to said curve and on said north line a distance of 660.52 feet to the southeast corner of said RUNCK'S FIRST ADDITION; thence North 02 degrees 49 minutes 09 seconds West on the east line of said addition a distance of 40.00 feet to the south line of said CEDAR CREST FIRST ADDITION; thence South 87 degrees 47 minutes 23 seconds West a distance of 51.46 feet to the point of beginning

Containing 19.17 acres, more or less, and is subject to Easements, Reservations, Restrictions and Rights-of-Way of record.

Said owners of the above described property, have caused the same to be surveyed and platted as "WESTRAC THIRD ADDITION" to the City of Fargo, Cass County, North Dakota, and does hereby dedicate to the public, for public use, all streets, drives, and access and utility easements shown on said plat. Said owners also hereby dedicate and convey to lots included in "WESTRAC THIRD ADDITION", for the city use, the pond easement as shown on said plat.

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, Joshua J. Nelson, Professional Land Surveyor under the laws of the State of North Dakota, do hereby certify that this plat is a true and correct representation of the survey of said subdivision; that the monuments for the guidance of future surveys have been located or placed in the ground as shown.

Dated this ____day of_____, 20____

Joshua J. Nelson, PLS Professional Land Surveyo Registration No. 1S-27292

State of North Dakota) SS County of Cass

, 20____, appeared before me, Joshua J. Nelson, known to me to be the On this ____ day of ___ person whose name is subscribed to the above certificate and did acknowledge to me that he executed the same as his own free act and deed.

Notary Public:



OWNER: CITY OF FARGO (PARCEL: BOOK 402, PAGE 404/DOCUMENT NO. 500663) City of Fargo By: Timothy J. Mahoney

Timothy J. Mahoney, Mayor

State of North Dakota) SS

County of Cass

On this _____ day of ______ 20__, appeared before me, Timothy J. Mahoney, Mayor, City of Fargo, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of the City of Fargo.

Notary Public: _____

OWNER: LOTS 2 AND 3, BLOCK 1 JWPT, LLC By: Joel W. Peterson

Joel W. Peterson

State of North Dakota) SS

County of Cass

On this ____ day of _____ 20__, appeared before me, Joel W. Peterson, JWPT, LLC, a North Dakota limited liability company, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of said

Notary Public: _____

OWNER: LOTS 2 AND 3, BLOCK 1 Sofar Properties LLP By: Brent C. Dietrich

Brent C. Dietrich

State of North Dakota)) SS County of Cass

On this __ day of _____ 20__, appeared before me, Brent C. Dietrich , Sofar Properties LLP, a North Dakota limited liability partnership, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of said partnership.

Notary Public:

OWNER: LOT 4, BLOCK 1 Cass County Government By: Rick Steen

Rick Steen, Chairman

State of North Dakota) SS

County of Cass

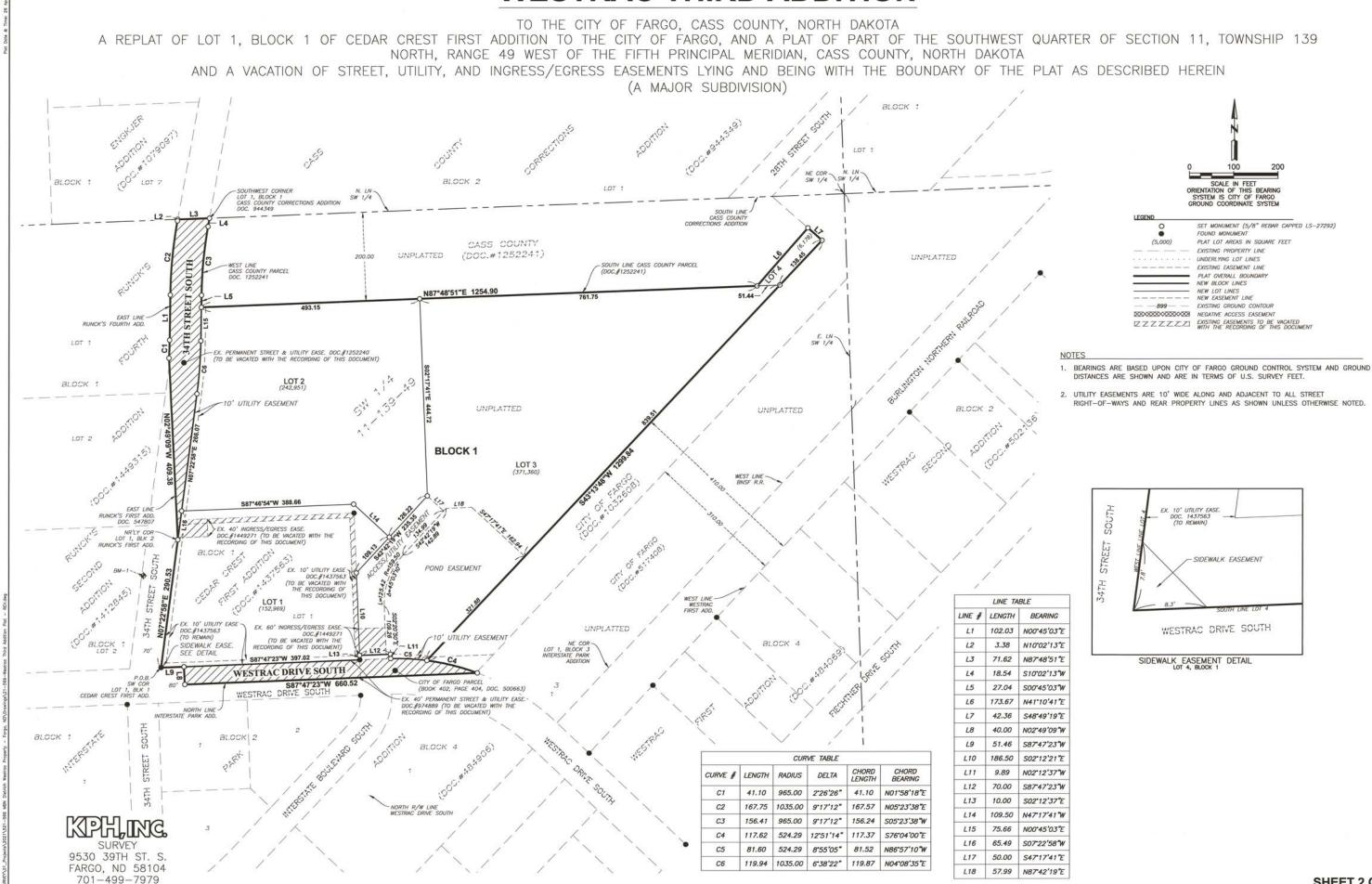
On this _____ day of _____ 20___, appeared before me, Rick Steen, Chairman, Cass County Government, known to me to be the person whose name is subscribed to the above certificate and did acknowledge to me that they executed the same on behalf of Cass County. 20___, appeared before me, Rick Steen, Chairman. Cass County

Notary Public: _____

FARGO CITY COMMISSION APPROVAL Approved by the Board of Commissioners and ordered filed this ____ day of __ Timothy J. Mahoney Mayor Attest: Steven Sprague, City Audito State of North Dakota) SS County of Cass On this ____ day of ____ 20___, before me, a notary public in and for said county, personally appeared Timothy J. Mahoney, Mayor, and Steven Sprague, City Auditor, known to me to be the persons described in and who executed the same as a free act and deed. Notary Public: _____ CITY OF FARGO PLANNING COMMISSION APPROVAL Approved by the City of Fargo Planning Commission this _____ day of _ Rocky Schneider Planning Commission Chair State of North Dakota SS County of Cass On this ____ day of _____ 20___, before me, a notary public in and for said county, personally appeared Rocky Schneider, Planning Commission Chair, known to me to be the person described in and who executed the same as a free act and deed Notary Public: _____ CITY OF FARGO ENGINEERING DEPARTMENT APPROVAL Approved by the City Engineer this day of Brenda E. Derrig, P.E. City Engineer State of North Dakota) SS County of Cass On this _____ day of ______ 20___, before me, a notary public in and for said county, personally appeared Brenda E. Derrig, P.E., City Engineer, known to me to be the person described in and who executed the same as a free act and deed. Notary Public: _____

SHEET 1 OF 1

WESTRAC THIRD ADDITION



SHEET 2 OF 2