



MEMORANDUM

Highway Department

Jason, Benson, P.E.
County Engineer

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

Blaine Laaveg
Superintendent

TO: Cass County Board of Commissioners
FROM: Grace Puppe, Cass County Planner
DATE: June 23, 2022
SUBJECT: Consent Agenda Topic for the July 5, 2022
Commission Meeting: Cottonwood Acres
Subdivision Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Lake Township, Section 4 at a Public Hearing on June 23, 2022. The intended purpose of the subdivision is to build a single-family dwelling on 10 acres with a 1.94 acre easement for ROW.

The Planning Commission is recommending approval of the proposed plat entitlement request and Lake 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

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the NW ¼ of Section 4, Township 142 North, Range 55 West		
Title:	Cottonwood Acres Subdivision	Date:	06-10-2022
		Update:	06-23-2022
Location:	NW ¼ of Section 4, Township 142 North, Range 55 West (Lake Township)	Staff Contact:	Grace Puppe
Parcel Number:	50-0000-08117-000	Water District:	Maple River Water District
Owner(s)/Applicant:	Brad Davis	Engineer/Surveyor:	Andrew Hemmah / Chris Ingersoll KLJ
Status:	Planning Commission Hearing: June 23, 2022 County Commission Meeting: July 5, 2022		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Cottonwood Acres Subdivision** to plat a one (1) Lot subdivision of approximately 11.94 acres. According to the applicant, the subdivision is requested to build a single family dwelling on 10 acres with a 1.94 acre easement parcel located on the north end of the property.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 134th Ave SE for road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

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	Sprint is clear of the project.
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	This property is not within the service territory of Cass Rural Water District. It is in Barnes Rural Water District.
North Dakota Department of Transportation	No comments were received prior to publishing the staff report.
County Sanitarian	No issues with the proposed subdivision.
Township Chairman	No issues with the proposed subdivision.
The City of Fargo	No comment.
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 and south. Township road 134th Ave SE borders the west of the property and County Road 26 (18th St SE) located to the north.

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, wetlands 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 with the variance request 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

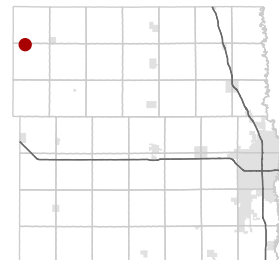
Cottonwood Acres Subdivision

Lake Twp, Section 4 - Township 142 North - Range 55 West



Imagery: NAIP, North Dakota 2019 30cm

Cass County Planning Commission
June 23, 2022



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.



COTTONWOOD ACRES SUBDIVISION

PLAT OF GOVERNMENT LOT 4 AND THE SOUTH HALF OF THE NW QUARTER IN
SECTION 4, TOWNSHIP 142 NORTH, RANGE 55 WEST, FIFTH PRINCIPAL MERIDIAN,
LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, BRAD DAVIS, WHOSE ADDRESS IS 2918 7TH ST E WEST FARGO, ND 58078, IS THE OWNER OF THAT PART OF GOV'T LOT 4 AND THE SOUTH HALF OF THE NW QUARTER OF SECTION 4, T142N, R55W LESS CO RD 26 RIGHT-OF-WAY IN CASS COUNTY:

BRAD DAVIS

STATE OF)
)SS
COUNTY OF)

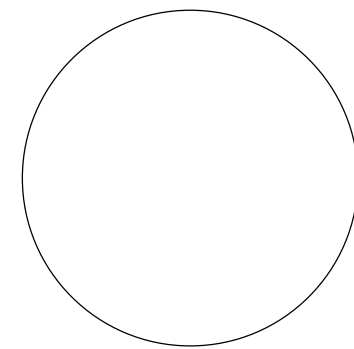
ON THIS _____ DAY OF _____, 2022, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED AS THE OWNER, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
CASS COUNTY, NORTH DAKOTA

SURVEYOR'S CERTIFICATE

I, CHRIS INGERSOLL, 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 DISTANCES SHOWN ON THE PLAT ARE CORRECT; THAT MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN LOCATED OR PLACED IN THE GROUND AS SHOWN.

DATE THIS _____ DAY OF _____, 2022.



CHRIS INGERSOLL
PROFESSIONAL LAND SURVEYOR
NORTH DAKOTA NO. 8887

STATE OF)
)SS
COUNTY OF)

ON THIS _____ DAY OF _____, 2022, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, WHO EXECUTED THE SAME AND ACKNOWLEDGED THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

CASS COUNTY ENGINEER:

REVIEWED BY THE CASS COUNTY ENGINEER THIS _____ DAY OF _____, 2022.

JASON BENSON, CASS COUNTY ENGINEER

ATTEST: _____
SECRETARY

CASS COUNTY PLANNING COMMISSION:

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 2022.

KEN LOUGHEED, CHAIRMAN

ATTEST: _____
SECRETARY

LAKE TOWNSHIP:

REVIEWED BY LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2022.

KEVIN BAASCH, CHAIRMAN

ATTEST: _____
CLERK

CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL

APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2022.

RICK STEEN, CHAIRMAN

ATTEST: _____
BRANDY MADRIGGA, FINANCE DIRECTOR

FLOOD PLAIN STATEMENT

THERE ARE NO PUBLISHED FEMA FLOOD PLAIN MAPS FOR LAKE TOWNSHIP, CASS COUNTY, NORTH DAKOTA.

ENGINEER:
KLJ Engineering LLC
300 23RD AVE E, SUITE 100
WEST FARGO, ND 58078

CLIENT:
ANDREW HEMMAH
204 MAIN AVENUE
COLGATE, ND 58046



DEED RESTRICTION

Pursuant to Section 309 of the Cass County Subdivision Ordinance, this **DEED RESTRICTION** is entered into this 14th day of December, 2021, by

Owner(s): Brad Davis

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**

~~The North 1550 feet of the West 1550 feet of the Northwest Quarter of Section 28, Township 137 North, Range 51 West of the Prime Meri~~

West 40 acres of Northwest Quarter of Lake township Section 4
Less Cottonwood acres subdivision



MEMORANDUM

Highway Department

Jason, Benson, P.E.
County Engineer

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

Blaine Laaveg
Superintendent

TO: Cass County Board of Commissioners
FROM: Grace Puppe, Cass County Planner
DATE: June 23, 2022
SUBJECT: Consent Agenda Topic for the July 5, 2022
Commission Meeting: TEPI Fourth Subdivision
Application

The Cass County Planning Commission reviewed the application of the proposed subdivision located in Casselton Township, Section 33 at a Public Hearing on June 23, 2022. The intended purpose of the subdivision is to replat Lot 1, Block 1, TEPI Third Subdivision, splitting such lot into 4 lots.

The Planning Commission is recommending approval of the proposed plat entitlement request and Casselton 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

Entitlements Requested:	Major Subdivision (7 Lot) of a part of Section 33, Township 140 North, Range 52 West		
Title:	TEPI Fourth Subdivision	Date:	06-10-2022
		Update:	06-23-2022
Location:	Section 33, Township 140 North, Range 52 West (Casselton Township)	Staff Contact:	Grace Puppe
Parcel Number:	29-0300-00010-000	Water District:	Maple River Water Resource District
Owner(s)/Applicant:	Tharaldson Ethanol Plant I, LLC	Engineer/Surveyor:	Dan Bueide
Status:	Planning Commission Hearing: June 23, 2022 County Commission Meeting: July 5, 2022		

Existing Land Use	Proposed Land Use
Commercial	Commercial
Proposal	

The applicant is seeking approval of a major subdivision entitled **TEPI Fourth Subdivision** to plat a four (4) Lot subdivision of approximately 285.51 acres. According to the applicant, the plat of TEPI Fourth Subdivision is a replat of Lot 1, Block 1, TEPI Third Subdivision, splitting such lot into 4 lots.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 153rd Ave SE (County Road 23) road access, ditches and storm sewer system for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Agency Comments

County Engineer	No comments were received prior to publishing the staff report.
Water Resource District	No comment.
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	Clear
AT&T	AT&T has a fiber cable on the South side of the RR TOW. AT&T is not affected by the subdivision and has no objection.
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	Currently supplies this property with water 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	No comment.
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 County Road 23 to the west, BNSF to the north, agriculture to the east, and Legal Drain 62 to the south.

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.

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 this is a major subdivision proposal a transfer of a development right is not required.

Staff Recommendation

To accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application with the variance request 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.

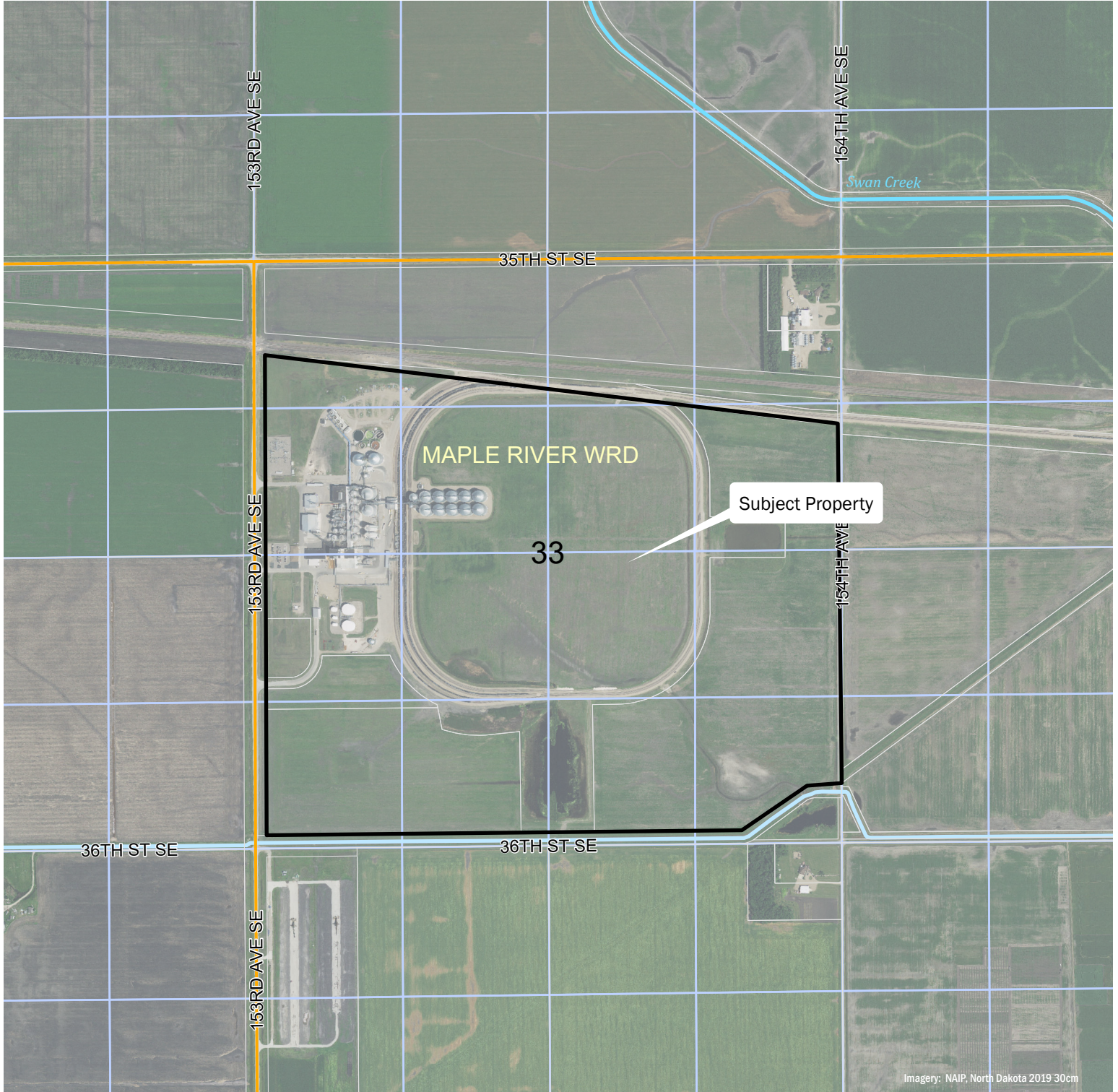
Attachments

1. Location Map
2. Plat Document
3. Easement Document

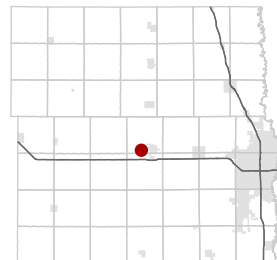
Minor Subdivision

TEPI Fourth Subdivision

Casselton Twp, Section 33- Township 140 North - Range 52 West



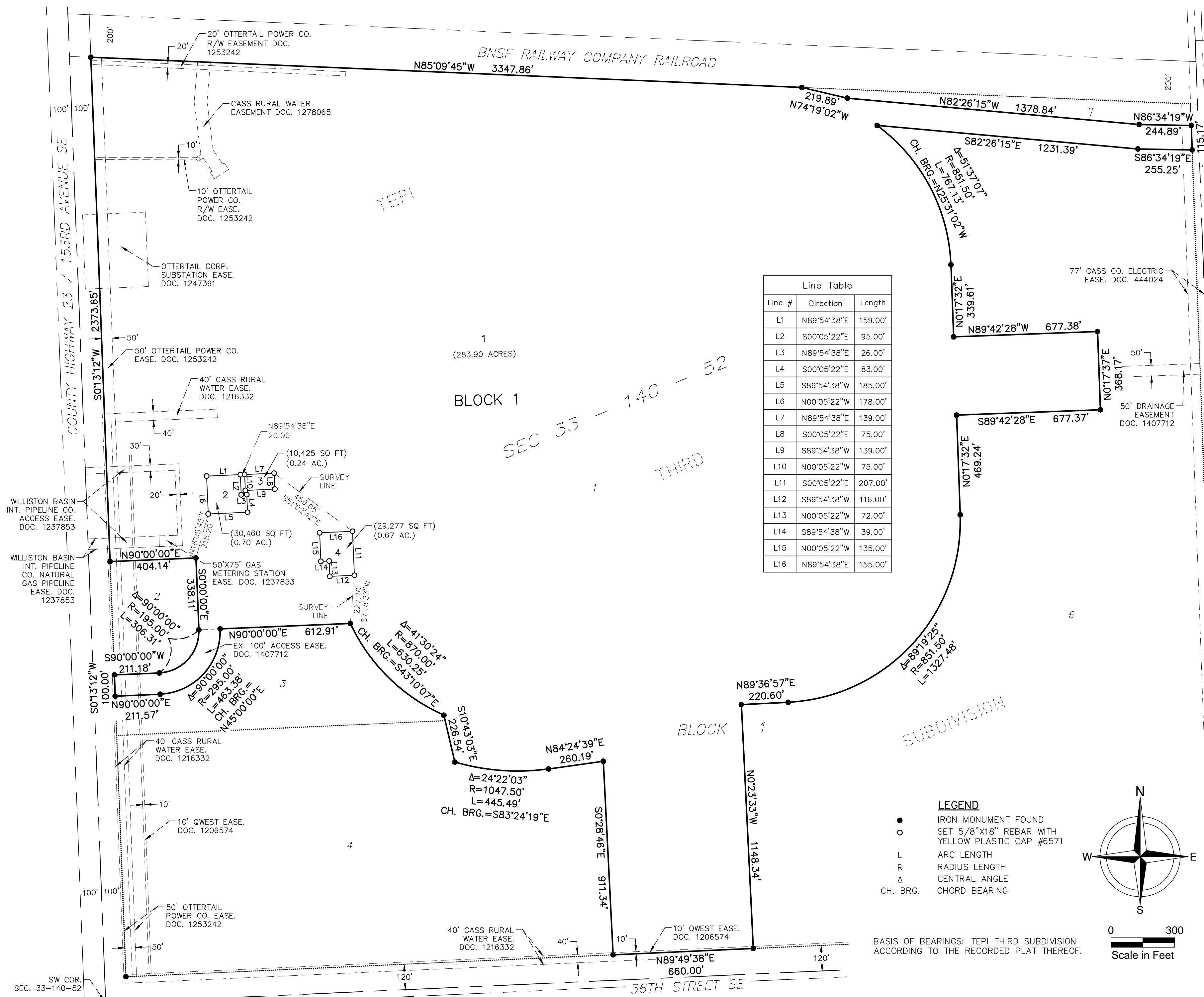
1000' Notification Area
June 23, 2022



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.

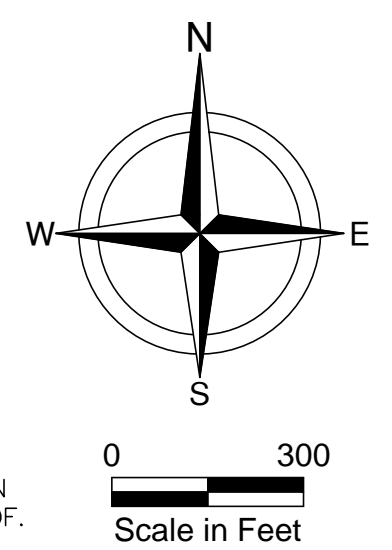


**PLAT OF
TEPI FOURTH SUBDIVISION**
A REPLAT OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION IN SECTION 33,
TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA



Line #	Direction	Length
L1	N89°54'38"E	159.00'
L2	S00°05'22"E	95.00'
L3	N89°54'38"E	26.00'
L4	S00°05'22"E	83.00'
L5	S89°54'38"W	185.00'
L6	N00°05'22"W	178.00'
L7	N89°54'38"E	139.00'
L8	S00°05'22"E	75.00'
L9	S89°54'38"W	139.00'
L10	N00°05'22"W	75.00'
L11	S00°05'22"E	207.00'
L12	S89°54'38"W	116.00'
L13	N00°05'22"W	72.00'
L14	S89°54'38"W	39.00'
L15	N00°05'22"W	135.00'
L16	N89°54'38"E	155.00'

LEGEND
 ● IRON MONUMENT FOUND
 ○ SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
 L ARC LENGTH
 R RADIUS LENGTH
 Δ CENTRAL ANGLE
 CH. BRG. CHORD BEARING



BASIS OF BEARINGS: TEPI THIRD SUBDIVISION
 ACCORDING TO THE RECORDED PLAT THEREOF.

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "TEPI FOURTH SUBDIVISION", A REPLAT OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; 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 ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 285.51 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

PRELIMINARY

STEVEN W. HOLM
 REGISTERED LAND SURVEYOR
 REG. NO. LS-6571

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED 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

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "TEPI FOURTH SUBDIVISION", A REPLAT OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER: THERALDSON ETHANOL PLANT I, LLC A NORTH DAKOTA LIMITED LIABILITY COMPANY

RYAN THORPE, CHIEF OPERATING OFFICER

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RYAN THORPE, CHIEF OPERATING OFFICER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THERALDSON ETHANOL PLANT I, LLC, A NORTH DAKOTA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CASSELTON TOWNSHIP REVIEW

REVIEWED BY CASSELTON TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2022.

SIGNED: _____
 RYAN RADERMACHER, CHAIRPERSON

ATTEST: _____
 ROBERT RUNCK JR., CLERK

COUNTY ENGINEER REVIEW

REVIEWED BY THE CASS COUNTY ENGINEER THIS _____ DAY OF _____, 2022.

SIGNED: _____
 JASON BENSON, CASS COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION REVIEW

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____, 2022.

SIGNED: _____
 KEN LOUGHEED, CHAIRPERSON

ATTEST: _____
 LISA SHASKY, SECRETARY

CASS COUNTY COMMISSION APPROVAL

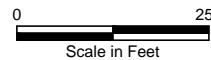
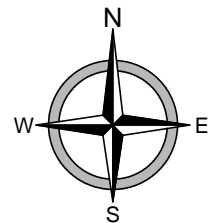
APPROVED BY CASS COUNTY, NORTH DAKOTA, THIS _____ DAY OF _____, 2022.

SIGNED: _____
 RICK STEEN, CHAIRPERSON, BOARD OF COUNTY COMMISSIONERS

ATTEST: _____
 BRANDY MADRIGGA, CASS COUNTY FINANCIAL DIRECTOR

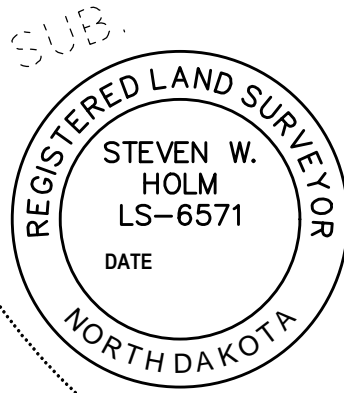
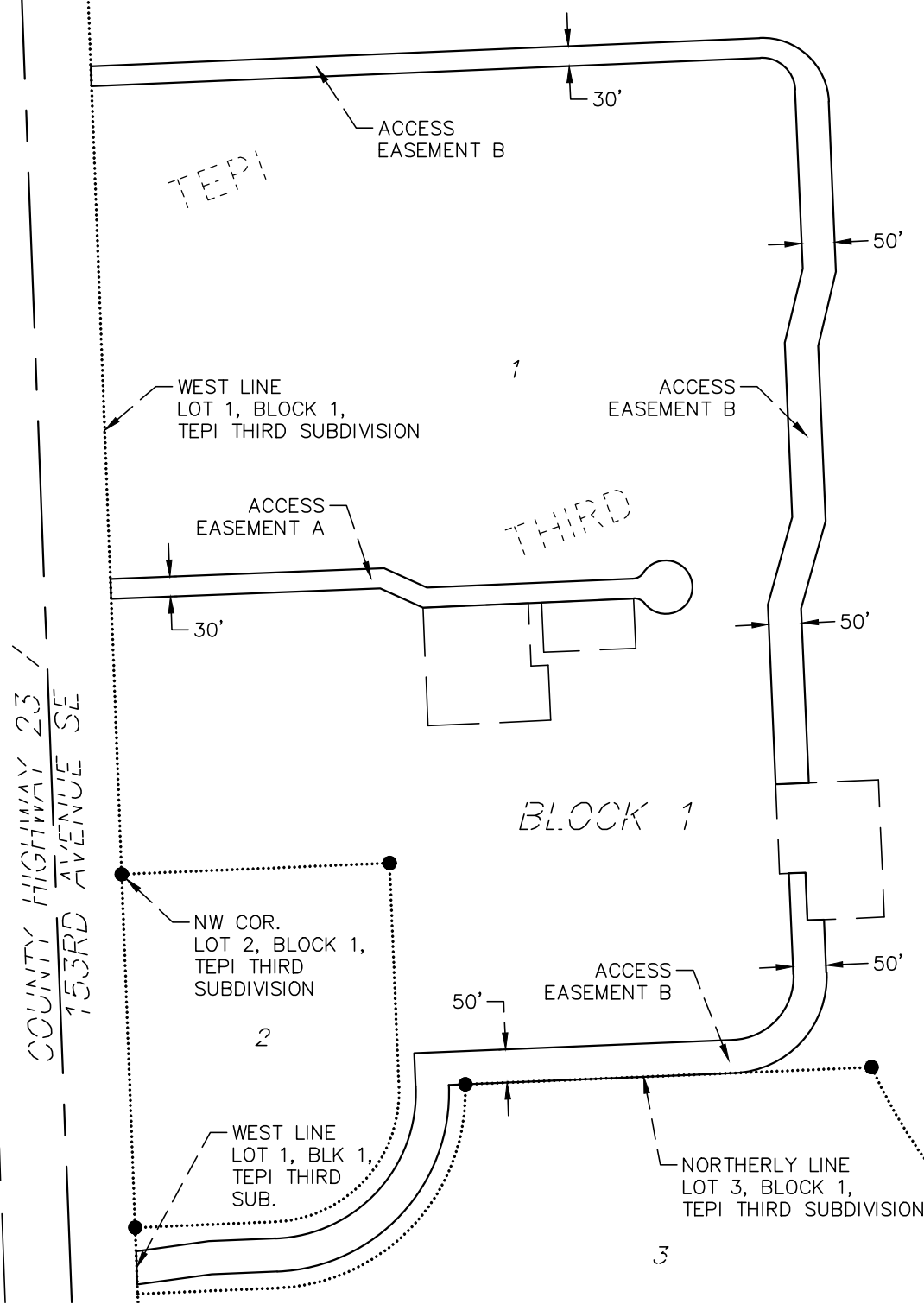
ACCESS EASEMENTS A & B

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
 IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST,
 CASS COUNTY, NORTH DAKOTA



LEGEND

● IRON MONUMENT FOUND



ACCESS EASEMENTS A & B

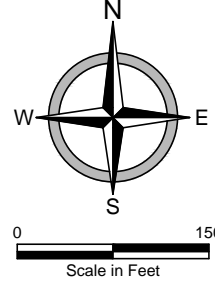
Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION
 in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH



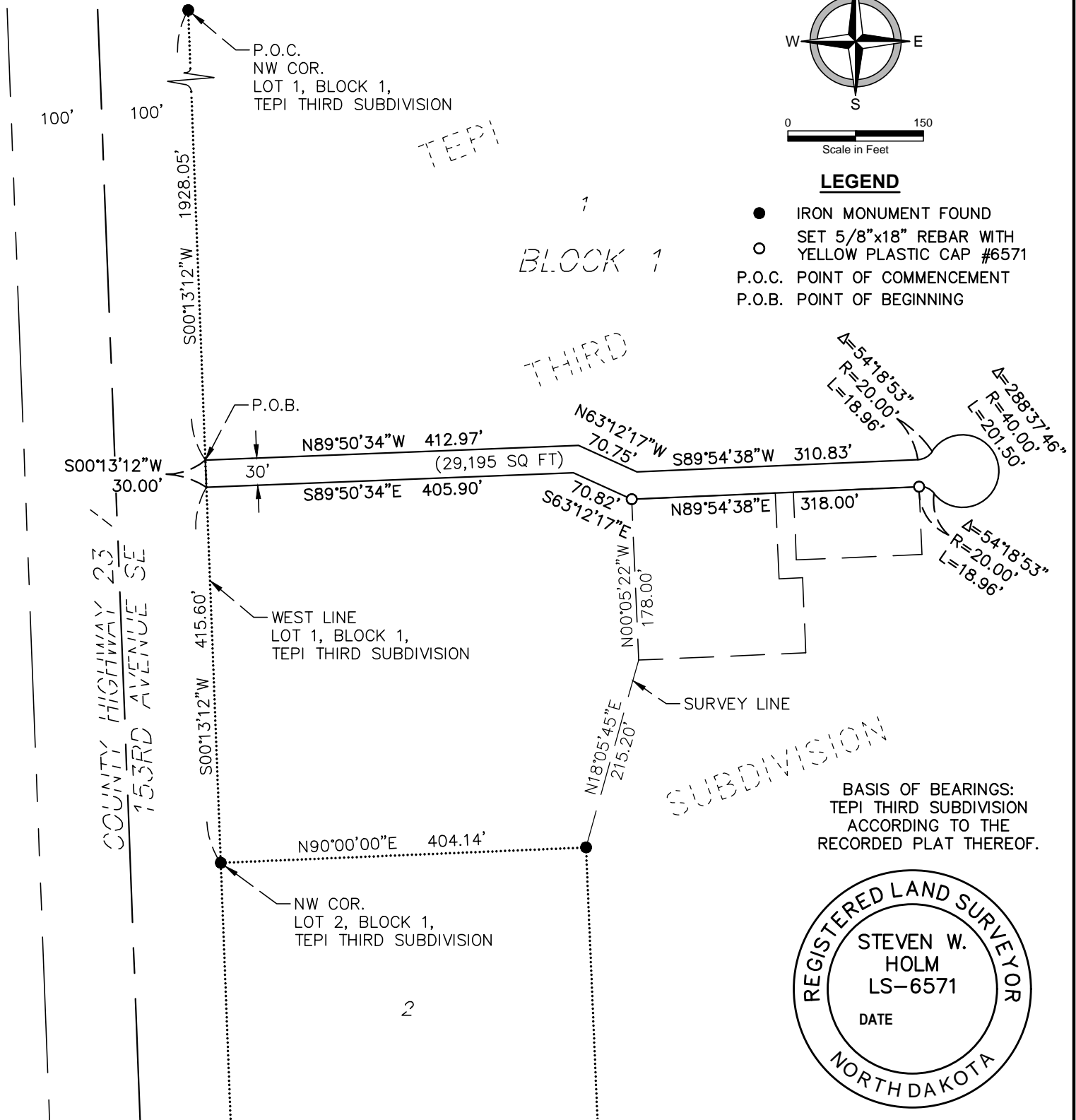
ACCESS EASEMENT A

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
 IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA

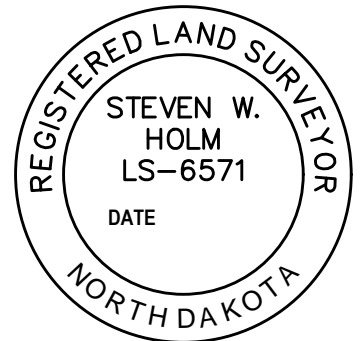


LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



BASIS OF BEARINGS:
 TEPI THIRD SUBDIVISION
 ACCORDING TO THE
 RECORDED PLAT THEREOF.



ACCESS EASEMENT A

Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION
 in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH



ACCESS EASEMENT A

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA

DESCRIPTION

That part of Lot 1, Block 1, TEPI THIRD SUBDIVISION, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 13 minutes 12 seconds West on a record bearing along the west line of said Lot 1 for a distance 1928.05 feet to the point of beginning; thence continuing South 00 degrees 13 minutes 12 seconds West along said west line for a distance of 30.00 feet; thence South 89 degrees 50 minutes 34 seconds East for a distance of 405.90 feet; thence South 63 degrees 12 minutes 17 seconds East for a distance of 70.82 feet; thence North 89 degrees 54 minutes 38 seconds East for a distance of 318.00 feet; thence 18.96 feet southeasterly on a tangential curve concave to the southwest, having a radius of 20.00 feet and a central angle of 54 degrees 18 minutes 53 seconds to a point of reverse curvature; thence 201.50 feet northerly on a reverse curve concave to the west having a radius of 40.00 feet and a central angle of 288 degrees 37 minutes 46 seconds to a point of reverse curvature; thence 18.96 feet southwesterly on a tangential curve concave to the northwest having a radius of 20.00 feet and a central angle of 54 degrees 18 minutes 53 seconds; thence South 89 degrees 54 minutes 38 seconds West for a distance of 310.83 feet; thence North 63 degrees 12 minutes 17 seconds West for a distance of 70.75 feet; thence North 89 degrees 50 minutes 34 seconds West for a distance of 412.97 feet to the point of beginning.

Containing 29,195 square feet, more or less, subject to all easements, restrictions, reservations and rights of way of record, if any.



PAGE 3 OF 6

ACCESS EASEMENT A

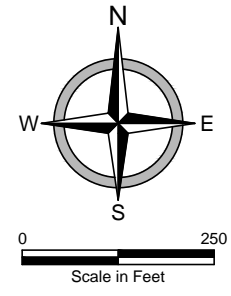
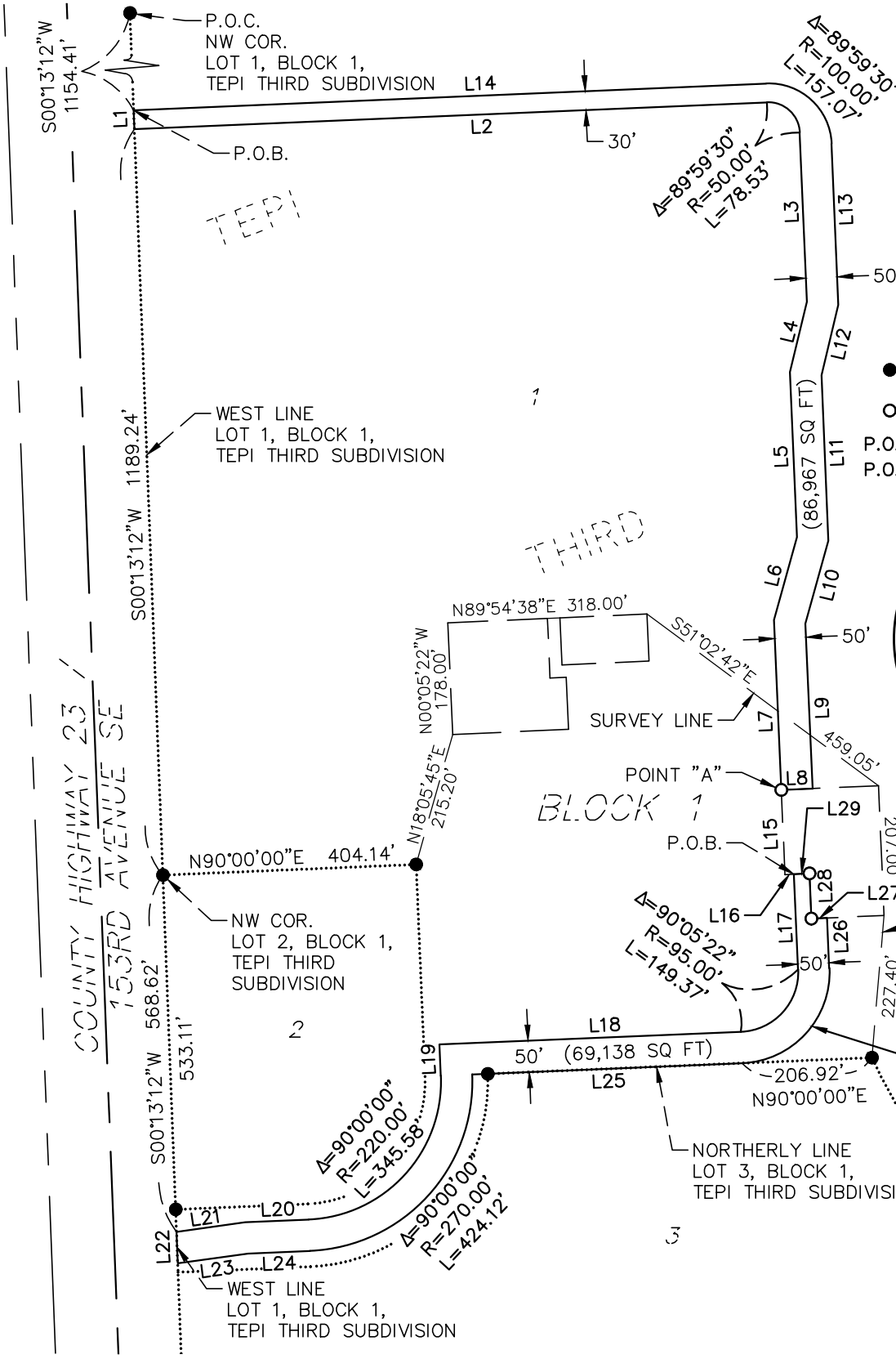
Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION
in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH



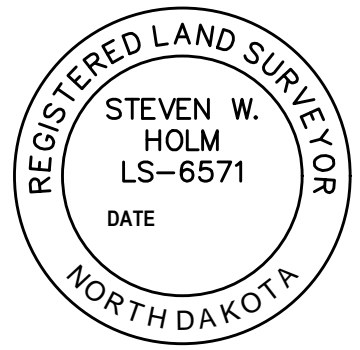
ACCESS EASEMENT B

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
 IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



BASIS OF BEARINGS:
 TEPI THIRD SUBDIVISION
 ACCORDING TO THE
 RECORDED PLAT THEREOF.

ACCESS EASEMENT B

Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION
 in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH



ACCESS EASEMENT B

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA

DESCRIPTION

That part of Lot 1, Block 1, TEPI THIRD SUBDIVISION, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota, described as follows:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 13 minutes 12 seconds West on a record bearing along the west line of said Lot 1 for a distance 1154.41 feet to the point of beginning; thence continuing South 00 degrees 13 minutes 12 seconds West along said west line for a distance of 30.00 feet; thence North 89 degrees 59 minutes 57 seconds East for a distance of 1009.45 feet; thence 78.53 feet southeasterly on a tangential curve concave to the southwest, having a radius of 50.00 feet and a central angle of 89 degrees 59 minutes 30 seconds; thence South 00 degrees 00 minutes 33 seconds East for a distance of 269.87 feet; thence South 15 degrees 53 minutes 38 seconds West for a distance of 115.10 feet; thence South 00 degrees 00 minutes 03 seconds East for a distance of 263.07 feet; thence South 17 degrees 57 minutes 26 seconds West for a distance of 137.16 feet; thence South 00 degrees 05 minutes 22 seconds East for a distance of 270.93 feet to a point hereinafter referred to as Point "A"; thence North 89 degrees 54 minutes 38 seconds East for a distance of 50.00 feet; thence North 00 degrees 05 minutes 22 seconds West for a distance of 262.99 feet; thence North 17 degrees 57 minutes 26 seconds East for a distance of 137.12 feet; thence North 00 degrees 00 minutes 03 seconds West for a distance of 263.99 feet; thence North 15 degrees 53 minutes 38 seconds East for a distance of 115.10 feet; thence North 00 degrees 00 minutes 33 seconds West for a distance of 256.85 feet; thence 157.07 feet northwesterly on a tangential curve concave to the southwest, having a radius of 100.00 feet and a central angle of 89 degrees 59 minutes 30 seconds; thence South 89 degrees 59 minutes 57 seconds West for a distance of 1009.33 feet to the point of beginning.

AND

Commencing at the aforementioned Point "A"; thence South 00 degrees 05 minutes 22 seconds East for a distance of 135.00 feet; thence North 89 degrees 54 minutes 38 seconds East for a distance of 14.00 feet to the point of beginning; thence South 00 degrees 05 minutes 22 seconds East for a distance of 152.18 feet; thence 149.37 feet southwesterly on a tangential curve concave to the northwest, having a radius of 95.00 feet and a central angle of 90 degrees 05 minutes 22 seconds to a point on a line which is 50.00 feet northerly of, as measured at a right angle to and parallel with the northerly line of Lot 3, Block 1, said TEPI THIRD SUBDIVISION; thence South 90 degrees 00 minutes 00 seconds West along said parallel line for a distance of 480.99 feet; thence South 00 degrees 00 minutes 00 seconds East for a distance of 50.00 feet; thence 345.58 feet southwesterly on a tangential curve concave to the northwest, having a radius of 220.00 feet and a central angle of 90 degrees 00 minutes 00 seconds; thence South 90 degrees 00 minutes 00 seconds West for a distance of 101.19 feet; thence South 84 degrees 32 minutes 59 seconds West for a distance of 110.63 feet to the west line of said Lot 1; thence South 00 degrees 13 minutes 12 seconds West along said west line for a distance of 50.25 feet; thence North 84 degrees 32 minutes 59 seconds East for a distance of 113.22 feet; thence North 90 degrees 00 minutes 00 seconds East for a distance of 98.81 feet; thence 424.12 feet northeasterly on a tangential curve concave to the northwest, having a radius of 270.00 feet and a central angle of 90 degrees 00 minutes 00 seconds to a point on the westerly extension of the northerly line of said Lot 3; thence North 90 degrees 00 minutes 00 seconds East along the northerly line of said Lot 3 and the westerly extension thereof, for a distance of 430.99 feet; thence 227.99 feet northeasterly on a tangential curve concave to the northwest, having a radius of 145.00 feet and a central angle of 90 degrees 05 minutes 22 seconds; thence North 00 degrees 05 minutes 22 seconds West for a distance of 80.18 feet; thence South 89 degrees 54 minutes 38 seconds West for a distance of 25.00 feet; thence North 00 degrees 05 minutes 22 seconds West for a distance of 72.00 feet; thence South 89 degrees 54 minutes 38 seconds West for a distance of 25.00 feet to the point of beginning.

Containing a combined 156,105 square feet, more or less, subject to all easements, restrictions, reservations and rights of way of record, if any.



PAGE 5 OF 6

ACCESS EASEMENT B

Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION

in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH



ACCESS EASEMENT B

PART OF LOT 1, BLOCK 1, TEPI THIRD SUBDIVISION
IN SECTION 33, TOWNSHIP 140 NORTH, RANGE 52 WEST, CASS COUNTY, NORTH DAKOTA

Line Table		
Line #	Direction	Length
L1	S00°13'12"W	30.00'
L2	N89°59'57"E	1009.45'
L3	S00°00'33"E	269.87'
L4	S15°53'38"W	115.10'
L5	S00°00'03"E	263.07'
L6	S17°57'26"W	137.16'
L7	S00°05'22"E	270.93'
L8	N89°54'38"E	50.00'
L9	N00°05'22"W	262.99'
L10	N17°57'26"E	137.12'
L11	N00°00'03"W	263.99'
L12	N15°53'38"E	115.10'
L13	N00°00'33"W	256.85'
L14	S89°59'57"W	1009.33'
L15	S00°05'22"E	135.00'

Line Table		
Line #	Direction	Length
L16	N89°54'38"E	14.00'
L17	S00°05'22"E	152.18'
L18	S90°00'00"W	480.99'
L19	S00°00'00"E	50.00'
L20	S90°00'00"W	101.19'
L21	S84°32'59"W	110.63'
L22	S00°13'12"W	50.25'
L23	N84°32'59"E	113.22'
L24	N90°00'00"E	98.81'
L25	N90°00'00"E	430.99'
L26	N00°05'22"W	80.18'
L27	S89°54'38"W	25.00'
L28	N00°05'22"W	72.00'
L29	S89°54'38"W	25.00'

CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of North Dakota.

Steven W. Holm, R.L.S.
N.D. License No. LS-6571

Date: _____

State of North Dakota)
County of Cass)

On this _____ day of _____, 2022, before me, a Notary Public in and for said county and state, personally appeared Steven W. Holm, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing certificate and acknowledged to me that he executed the same as his free act and deed.



Notary Public, Cass County, North Dakota

PAGE 6 OF 6

ACCESS EASEMENT B

Part of Lot 1, Block 1, TEPI THIRD SUBDIVISION
in Section 33, Township 140 North, Range 52 West, Cass County, North Dakota

PROJECT No.	22365
DATE:	06.02.22
REVISED:	-
DRAFTER:	SWH
REVIEWER:	CDH

