CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, January 27, 2021 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 December 9, 2021

E. <u>Public Hearing Items</u>

1. Hearing on an application requesting a Minor Subdivision Plat of **Morris Subdivision** located in the NE ¼ of Section 20, Township 137 North, Range 53 West of the 5th Principal Meridian, Watson Township, Cass County North Dakota.

2. Hearing on an application requesting a Minor Subdivision Plat of **RK Farms Subdivision** located in the SE ¼ of Section 36, Township 140 North, Range 53 West of the 5th Principal Meridian, Wheatland Township, Cass County North Dakota.

3. Hearing on an application requesting a Minor Subdivision Plat of **Thomsen Subdivision** located in the NW ¼ of Section 11, Township 141 North, Range 52 West of the 5th Principal Meridian, Amenia Township, Cass County North Dakota.

4. Hearing on an application requesting a Minor Subdivision Plat of **Score Subdivision** located in the SE ¼ of Section 34, Township 138 North, Range 49 West of the 5th Principal Meridian, Stanley Township, Cass County North Dakota.

F. New Business

Information/Update – Subdivision Ordinance

G. Old Business

H. Adjournment

Meeting attendees with disabilities that need special accommodations should contact the Cass County Highway Department at 701-298-2370 prior to the meeting to make arrangements.

CASS COUNTY PLANNING COMMISSION
DECEMBER 9, 2021

A. CALL TO ORDER

A meeting of the Cass County Planning Commission was called to order on December 9, 2021, at 7:00am in the Vector Control Conference Room.

B. ROLL CALL

Planning Commissioners present in person were Rocky Bertsch, David Gust, Ken Lougheed, Keith Monson, Brad Olson. Dr. Tim Mahoney and Commissioner Mary Scherling attended via Teams. Kris Schipper was absent.

Also present in person were Cass County Planner, Grace Puppe, Cass County Senior Attorney, Tracy Peters and KLJ Planner Joel Quanbeck.
Cass County Engineer, Jason Benson attend via Teams.

C. DETERMINATION OF A QUORUM

It was determined that there was a quorum based on the roll call.

D. MINUTES, APPROVED

MOTION, *passed*
Mr. Monson moved and Mr. Olson seconded to approve the minutes of the October 28, 2021 meeting as presented.
Motion carried.

E. PUBLIC HEARING

1. **Hearing on an application requesting a Minor Subdivision Plat of St. Peter Lutheran Subdivision (NE ¼ of Section 35, Township 138 North, Range 53 West of the 5th Principal Meridian, Cass County North Dakota).**

   Mr. Lougheed opened the public hearing.

   Ms. Puppe provided an overview of an applicant seeking approval of a minor subdivision entitled St. Peter Lutheran Subdivision to plat a two (2) Lot subdivision of approximately 6.3 acres. According to the applicant, the subdivision is requested to separate the existing house and church from the farmland. The house is the parsonage for the church. The parsonage was built in 1975 and the church was built in 1967.

   The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use the existing 150th Ave SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

   St. Peter church is requesting a Variance from the deed restriction requirement. The church was built in 1967 and the parsonage was built in 1975. St. Peter church is looking to plat the parsonage and the church onto two separate lots in case of unlikely sale of either the church or parsonage. The current descriptions of the lots overlap and cross over the river to the south that should have followed the boundary. The church is looking to plat both parcels and correct these errors
   Mr. Gust mentioned that this is a good example of when a variance is appropriate.

Upon hearing no further public comments, the public hearing was closed.

MOTION, *passed*

Mr. Gust moved and Mr. Bertsch seconded accept the findings and recommendations of staff and recommend approval to the County Commission of the subdivision application with the variance request.

On a roll call vote with all in favor, motion carried.

2. **Hearing on an application requesting a Minor Subdivision Plat of Baarstad Second Subdivision (SE ¼ of Section 28, Township 137 North, Range 53 West of the 5th Principal Meridian, Cass County North Dakota).**

Mr. Lougheed opened the public hearing.

Ms. Puppe provided an overview of a minor subdivision entitled Baarstad Second Subdivision to plat a one (1) Lot subdivision of approximately 3 acres. According to the applicant, the subdivision is requested to separate the house from surrounding property to sell.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 148th Ave SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Mr. Gust asked what the distance of the property and the garage. Ms. Puppe said it is 5' to 10' off line, and meets the zoning requirements of the township. There will be a deed restriction for this property and the house to the south has been platted.

Upon hearing no further public comments, the public hearing was closed.

MOTION, *passed*

Mr. Gust moved and Mr. Monson seconded to accept the findings and recommend approval to the County Commission with any conditions outlined by the County Planner.

On a roll call vote with all in favor, motion carried.

3. **Hearing on an application requesting a Minor Subdivision Plat of Bryan Subdivision (SW ¼ of Section 19, Township 139 North, Range 50 West of the 5th Principal Meridian, Cass County North Dakota).**

Mr. Lougheed opened the public hearing.

Ms. Puppe provided an overview of an applicant seeking approval of a minor subdivision entitled Bryan Subdivision to plat a one (1) Lot subdivision of approximately 5.11 acres. According to the applicant, the subdivision is requested to combine to lots into one. Current parcel with house is just over 4.14 and is unplatted. Property to include additional land for shelterbelts.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 163rd Ave SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Upon hearing no public comments, the public hearing was closed.

MOTION, *passed*

Mr. Bertsch moved and Mr. Olson seconded to accept the findings and recommend approval to the County Commission with any conditions outlined by the County Planner.

On a roll call vote with all in favor, motion carried.

4. **Hearing on an application requesting a Minor Subdivision Plat of Hauff Subdivision (NW ¼ of Section 20, Township 143 North, Range 51 West of the 5th Principal Meridian, Cass County North Dakota).**

Mr. Lougheed opened the public hearing.

Ms. Puppe provided an overview of an applicant seeking approval of a minor subdivision entitled Hauff Subdivision to plat a two (2) Lot subdivision of approximately 18.94 acres. According to the applicant, the subdivision is requested to split one lot into two. Current parcel with house is 20 acres in size and is unplatted. The house will be platted on a 9.94 acre parcel with the remaining 9 acre parcel to be able to be built upon.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 157 Ave SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

The reason for platting is getting a setback and it will be splitting into two lots to sell to family to build another house. Mr. Lougheed said that they are creating an ideal situation from development. One deed restriction for two properties and two development rights in the ¼ section.

Upon hearing no further public comments, the public hearing was closed.

MOTION, *passed*

Mr. Gust moved and Mr. Olson seconded to accept the findings and recommend approval to the County Commission with any conditions outlined by the County Planner.

On a roll call vote with all in favor, motion carried.

F. NEW BUSINESS

Chair and Vice Chair appointees

Ken Lougheed and David Gust were appointed for another term of chair and vice chair.

Mr. Bertsch moved, and Mr. Olson seconded to accept Mr. Lougheed and Mr. Gust remains chair and vice chair.

Cass County Road Advisory Committee appointment

Keith Monson will remain on the Road Advisory committee.

Deed Restriction Fact Sheet

Ms. Puppe discussed the new Deed Restriction FAQ document. Mr. Gust expressed appreciation to have such a document that would help clear up any confusion on deed restrictions.

Information – Affidavit

Ms. Puppe described the affidavit. It will set up notification system for the Planning Department to be notified of recordings. It is way to help control further development after an Auditor's Lot Plat is recorded. After receiving an initial notice of a violation of the Cass County Subdivision Ordinance, if the property continues to be in violation, this affidavit would be recorded against the property to show that it is not in compliance with the Cass County Subdivision Ordinance. This affidavit would come from the Cass County Planner and would be a way to limit further splitting of property. Once a plat is recorded in compliance with the Subdivision Ordinance, the affidavit would be removed or deemed ineffective.

Information/Update – Subdivision Ordinance

Included as the major subdivision section. January 27, 2022 meeting will include a cleaned up copy.

G. OLD BUSINESS

Open Planning Commission position – there has been one applicant so far.

H. ADJOURNMENT

On motion by Mr. Gust seconded by Mr. Monson and all voting in favor, the meeting was adjourned at 7:48 AM.

Minutes prepared by Lisa Shasky, Principal Secretary, Highway Department

Agenda Item No. E.1

Cass County Planning Commission Staff Report

Entitlements Requested:	**Minor Subdivision (1 Lot)** of a part of the NE ¼ of Section 20, Township 137 North, Range 53 West		
Title:	**Morris Subdivision**	**Date:**	01-05-2022
Location:	NE ¼ of Section 20, Township 137 North, Range 53 West (Watson Township)	**Staff Contact:**	Grace Puppe
Parcel Number:	68-0000-12987-000	**Water District:**	Maple River Water District
Owner(s)/Applicant:	Dean Morris	**Engineer/ Surveyor:**	Houston Engineering, Inc
Status:	Planning Commission Hearing: January 27, 2022		

Existing Land Use	Proposed Land Use
Residential	Residential

Proposal

The applicant is seeking approval of a minor subdivision entitled **Morris Subdivision** to plat a one (1) Lot subdivision of approximately 6.748 acres. According to the applicant, the subdivision is requested to split the existing farmstead off from the quarter section of ag land.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 178th Ave SE 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	No conflict with Sprint.
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	There is currently a water service on this site.
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 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, west and south. Township road 147th Ave SE 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.

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

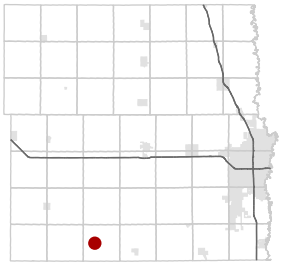
1. Location Map
2. Plat Document

Minor Subdivision

Morris Subdivision

Watson Twp, Section 20 - Township 137 North - Range 53 West

Cass County Planning Commission
January 27, 2022

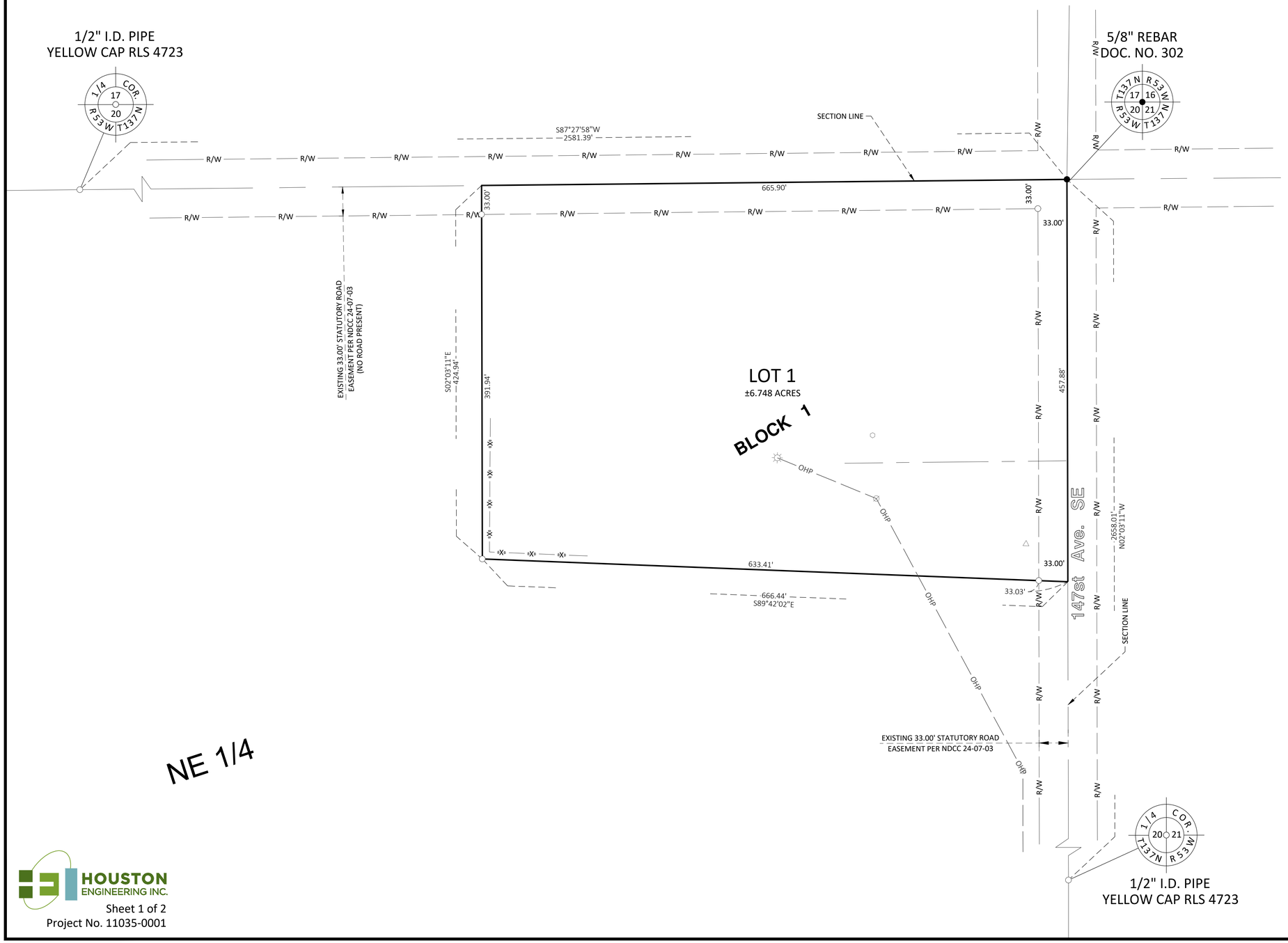


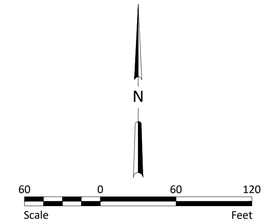
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

CASS COUNTY GOVERNMENT

MORRIS SUBDIVISION

BEING A PLAT OF PART OF THE NE 1/4
SECTION 20, T. 137 N., R. 53 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA





LEGEND

- IRON MONUMENT FOUND
- 1/2" I.D. PIPE SET
- UTILITY POLE
- W / GUY WIRE
- LIGHT POLE
- TELEPHONE RISER
- WATER SERVICE CURB STOP
- SECTION LINE
- PLAT BOUNDARY
- DRIVEWAY CENTERLINE
- EXISTING RIGHT OF WAY LINE — R/W
- OVERHEAD ELEC. POWER LINE — OHP
- BARB WIRE FENCE

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

MEASURED DISTANCES SHOWN ARE GROUND DISTANCES IN TERMS OF U.S. SURVEY FEET. USE COMBINATION FACTOR OF 1.0001125127 TO CONVERT STATE PLANE DISTANCES TO GROUND DISTANCES.

HOUSTON ENGINEERING INC.

Project No. 11035-0001

H:\JBN\11000\11035\11035_0001\CAD\Dean Morris Plat.dwg

PRELIMINARY PLAT

MORRIS SUBDIVISION

BEING A PLAT OF PART OF THE NE 1/4
SECTION 20, T. 137 N., R. 53 W., 5th P.M.
CASS COUNTY, NORTH DAKOTA

Owners' Certificate and Dedication:

Know All Persons by these Presents: That Dean Morris and Karen Morris, husband and wife, are the owners and proprietors of the following described tract of land:

That part of the Northeast Quarter of Section 20, Township 137 North, Range 53 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at the northeast corner of said Northeast Quarter; thence South 87°27'58" West, along the northerly line of said Northeast Quarter, for a distance of 665.90 feet; thence South 02°03'11" East for a distance of 424.94 feet; thence South 89°42'02" East for a distance of 666.44 feet to a point of intersection with the easterly line of said Northeast Quarter; thence North 02°03'11" West, along the easterly line of said Northeast Quarter, for a distance of 457.88 feet to the Point of Beginning.

Said tract contains 6.748 acres, more or less, and is subject to easements as may be of record.

And that said party has caused the same to be surveyed and platted as **MORRIS SUBDIVISION**.

In witness whereof we have set our hands and seals:

Owners:

Dean Morris Karen Morris

_____ _____

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 Dean Morris and Karen Morris, husband and wife, known to be the people described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Notary Public:_____

Surveyor's Certificate:

I, Curtis A. Skarphol, 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.

_____
Curtis A. Skarphol, Professional Land Surveyor
North Dakota Reg. No. 4723
1401 21st Ave. N.
Fargo, ND 58102
701-237-5065
cskarphol@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 Curtis A. Skarphol, 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

Watson Township:

Reviewed by Watson Township, Cass County, North Dakota, this_____day of _____, 20___.

_____
Don Gibson, Chair

Attest: _____
Lori Torgerson Hegvick, Clerk

Cass County Planning Commission:

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

_____
Ken Lougheed, Chair

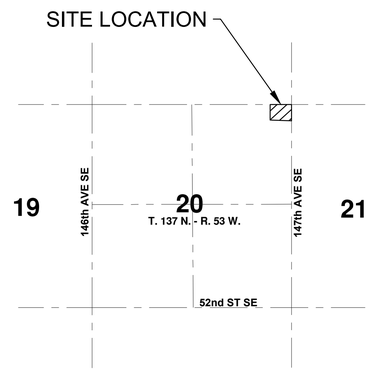
Attest: _____
Secretary

Cass County Board of Commissioners' Approval:

Approved by Cass County, North Dakota, this _____day of_____, 20___.

_____
Rick Steen, Chair

Attest: _____
Brandy Madrigga, Cass County Finance Director



VICINITY MAP
1" = 2000'

HOUSTON ENGINEERING INC.

Sheet 2 of 2
Project No. 11035-0001

PRELIMINARY PLAT

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Agenda Item No. E.2

Cass County Planning Commission Staff Report

Entitlements Requested:	**Minor Subdivision (1 Lot)** of a part of the SE ¼ of Section 36, Township 140 North, Range 53 West		
Title:	**RK Farms Subdivision**	**Date:**	01-12-2022
Location:	SE ¼ of Section 36, Township 140 North, Range 53 West (Wheatland Township)	**Staff Contact:**	Grace Puppe
Parcel Number:	69-0000-13366-010	**Water District:**	Maple River Water District
Owner(s)/Applicant:	Rick Kensok	**Engineer/ Surveyor:**	
Status:	Planning Commission Hearing: January 27, 2022		

Existing Land Use	Proposed Land Use
Residential	Residential

Proposal

The applicant is seeking approval of a minor subdivision entitled **RK Farms Subdivision** to plat a two (2) Lot subdivision of approximately 12.2 acres. According to the applicant, the subdivision is requested to split out the southeast portion of my farmyard.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 151st Ave SE 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	No conflict with Sprint.
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 current farm site has a water service. If the newly created parcel wants water service, then a second service would need to be brought in from the main.
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	The township is in full support of this subdivision.
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, west and south. Township road 151st Ave SE 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.

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

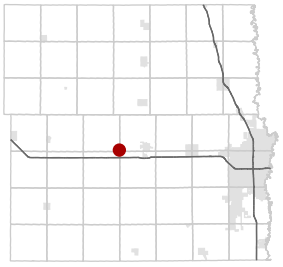
1. Location Map
2. Variance Request

Minor Subdivision

RK Farms Subdivision

Wheatland Twp, Section 36 - Township 140 North - Range 53 West

1000' Notification Area
January 27, 2022



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CASS COUNTY GOVERNMENT

VARIANCE APPLICATION

Cass County Planning Department
1201 Main Ave W
West Fargo, ND 58078
701-298-2375

FOR OFFICE USE ONLY	
PC Meeting Date	
PC Meeting Decision	
CC Meeting Date	
CC Meeting Decision	

Please fill out the following information.

PROPERTY OWNER

Name: Richard A. Kensok
Address: 3576 151 Ave SE, Wheatland ND 58079
Phone: 701-412-3817
Email: rkfarms@outlook.com

APPLICANT (IF DIFFERENT THEN OWNER)

Name:
Address:
Phone:
Email:

SUBJECT PROPERTY

Legal Description: SE 1/4 36 140-53 Wheatland Township Cass County
Parcel ID Number: 69-0000-13366-010
Address: 3576 151 Ave SE. Wheatland, ND. 58079
Current Zoning Classification residential

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary):

I am in the process of trying to subdivide my current farmsite so I can sell part to be developed by another party. Because of county regulations I would need to have a deed restriction signed by the adjacent land owner. The current owner doesn't understand what I am trying to do so is reluctant to sign the deed restriction. I am hoping to receive a variance so I may continue on in this venture

Signature of Applicant | Richard A Kensok (Print Name) | 1-19-22 (Date)

Agenda Item No. E.3

Cass County Planning Commission Staff Report

Entitlements Requested:	**Minor Subdivision (1 Lot)** of a part of the NW ¼ of Section 11, Township 141 North, Range 52 West		
Title:	**Thomsen Subdivision**	**Date:**	01-12-2022
Location:	NW ¼ of Section 11, Township 141 North, Range 52 West (Amenia Township)	**Staff Contact:**	Grace Puppe
Parcel Number:	22-0000-00347-000	**Water District:**	Rush River Water District
Owner(s)/Applicant:	Floyd Longlet	**Engineer/ Surveyor:**	Neset
Status:	Planning Commission Hearing: January 27, 2022		

Existing Land Use	Proposed Land Use
Residential	Residential

Proposal

The applicant is seeking approval of a minor subdivision entitled **Thomsen Subdivision** to plat a one (1) Lot subdivision of approximately 4.88 acres. According to the applicant, the subdivision is requested to separate from tillable land to build a farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an existing 154th Ave SE road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Agency Comments

County Engineer	No concerns.
Water Resource District	The Rush River Water Resource District has no comment to submit.
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	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 can be served from a water line located on the north side of 25th Street SE.
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 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 west, east and south. County road 4 borders the north 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.

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.

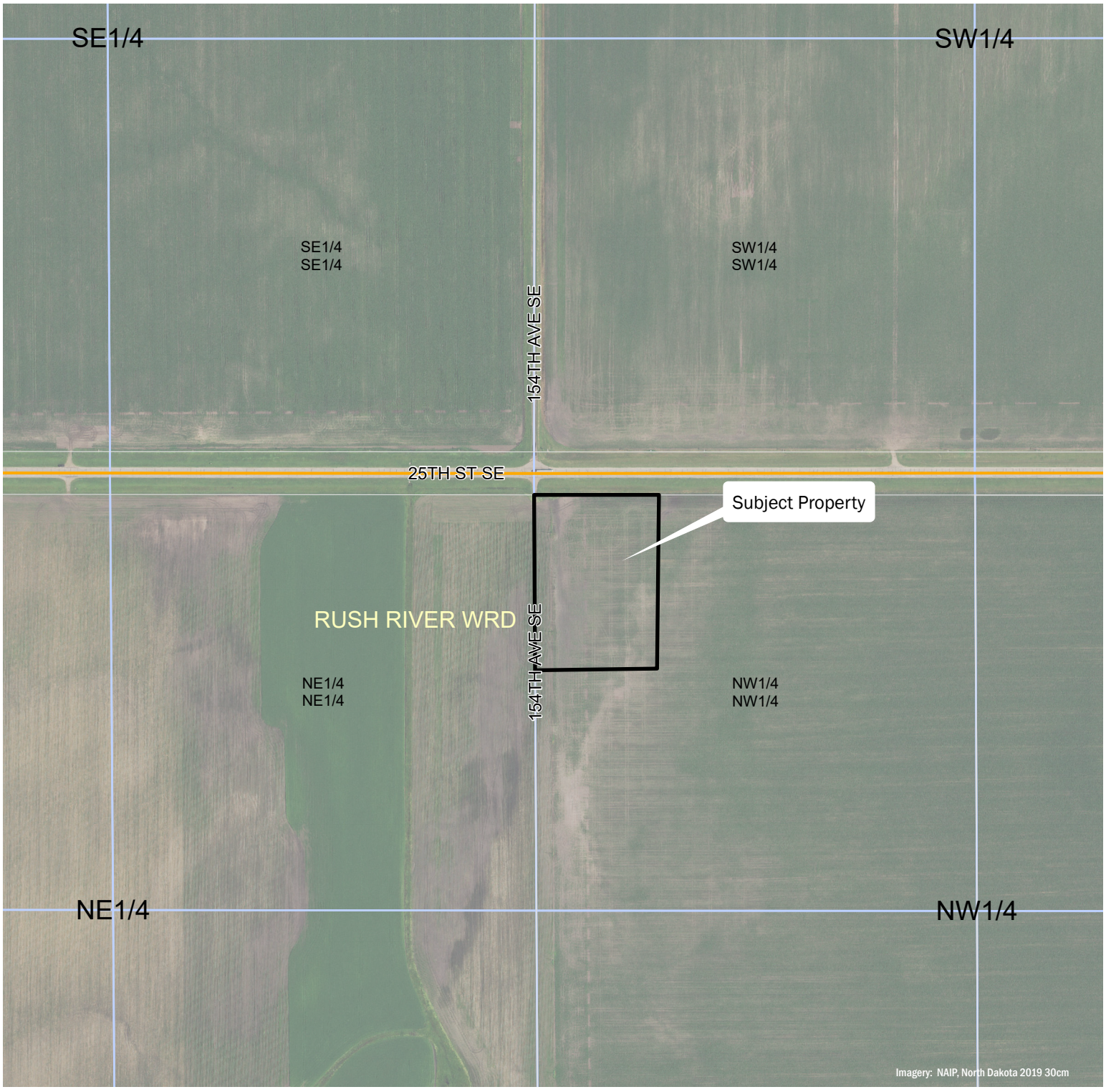
Attachments

1. Location Map
2. Plat Document
3. Deed Restriction

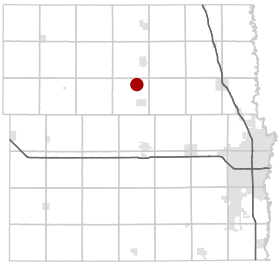
Minor Subdivision

Thomsen Subdivision

Amenia Twp, Section 11 - Township 141 North - Range 52 West



Cass County Planning Commission
January 27, 2022



0 1,000 Feet

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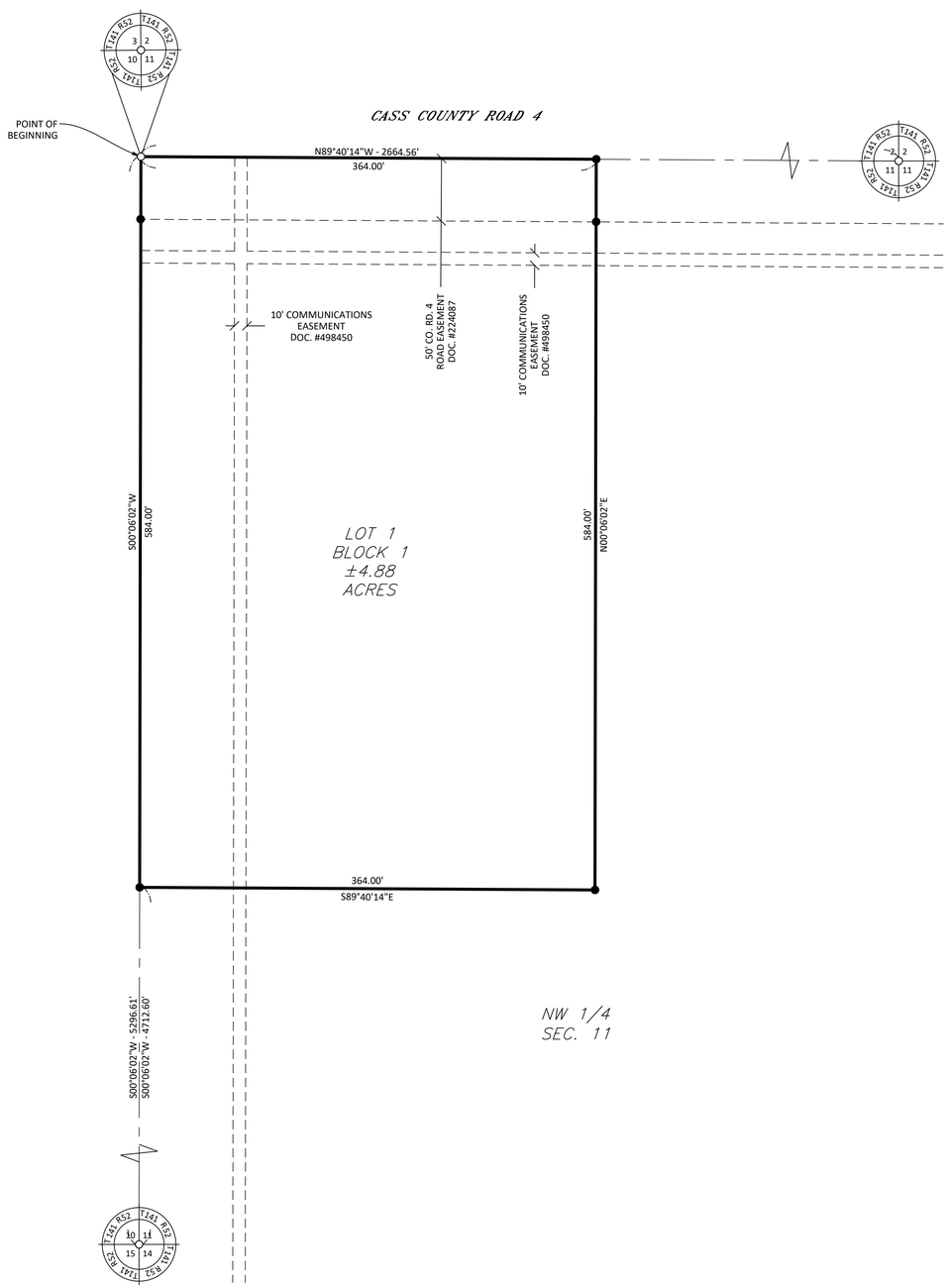
CASS COUNTY GOVERNMENT

THOMSEN SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 141 NORTH,
RANGE 52 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
CASS COUNTY, NORTH DAKOTA
A MINOR SUBDIVISION



CASS COUNTY ENGINEER

REVIEWED BY THE CASS COUNTY ENGINEER THIS _____DAY OF _____,2021.

_____
JASON BENSON, CASS COUNTY ENGINEER

CASS COUNTY BOARD OF COMMISSIONER'S APPROVAL

REVIEWED BY CASS COUNTY, NORTH DAKOTA THIS _____DAY OF_____, 2021.

_____
CHAD PETERSON, CHAIRMAN

ATTEST: _____
ROBERT WILSON, CASS COUNTY FINANCIAL DIRECTOR

CASS COUNTY PLANNING COMMISSION

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS_____DAY OF_____,2021.

_____
KEN LOUGHEED, CHAIRMAN

ATTEST: _____
SECRETARY

AMENIA TOWNSHIP

REVIEWED BY AMENIA TOWNSHIP, CASS COUNTY, NORTH DAKOTA, THIS _____DAY OF _____, 2021.

_____
KIM BRUCSH, CHAIRMAN

ATTEST: _____
JOHN HEJL, CLERK/TREASURER

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT FLOYD LONGLET IS THE OWNER OF LOT 1, BLOCK 1, OF THOMSEN SUBDIVISION IN PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 141 NORTH, RANGE 52 WEST OF THE 5TH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE S00°06'02"W ON AND ALONG THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 584.00 FEET; THENCE S89°40'14"E PARALLEL TO THE NORTH LINE OF SAID SECTION 11 FOR A DISTANCE OF 364.00 FEET; THENCE N00°06'02"E PARALLEL TO THE WEST LINE OF SAID SECTION 11 FOR A DISTANCE OF 584.00 FEET TO THE NORTH LINE OF SAID SECTION 11; THENCE N89°40'14"W ALONG SAID NORTH LINE A DISTANCE OF 364.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 4.88 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

SAID OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS THOMSEN SUBDIVISION, A MINOR SUBDIVISION TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA, AND CONSISTS OF 1 LOT AND 1 BLOCK AND CONTAINS 4.88 ACRES MORE OR LESS.

BY:_____
FLOYD LONGLET, OWNER

STATE OF_____)
)SS
COUNTY OF_____)

BE IT KNOWN ON THIS_____ DAY OF_____, 2021, BEFORE ME PERSONALLY APPEARED FLOYD LONGLET, KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION OF THE SAME AS A FREE ACT AND DEED.

MY COMMISSION

EXPIRES:_____

_____
NOTARY PUBLIC

SURVEYORS CERTIFICATE

I, COLE A. NESET, PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA DO HEREBY CERTIFY THAT THE ATTACHED PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY AND SAID SUBDIVISION AND ALL DISTANCES SHOWN ON SAID PLAT ARE CORRECT; THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN CORRECTLY PLACED IN THE GROUND AS SHOWN.

_____ _____
COLE A. NESET DATE

REGISTERED LAND SURVEYOR No. LS-7513
STATE OF NORTH DAKOTA

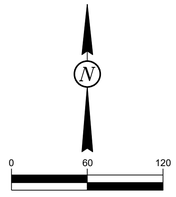
STATE OF_____)
)SS
COUNTY OF_____)

BE IT KNOWN ON THIS_____ DAY OF_____, 2021, BEFORE ME PERSONALLY APPEARED COLE A. NESET, NORTH DAKOTA REGISTERED LAND SURVEYOR, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE EXECUTION OF THE SAME AS A FREE ACT AND DEED.

MY COMMISSION

EXPIRES:_____

_____
NOTARY PUBLIC



LEGEND

- MONUMENT SET
- MONUMENT FOUND
- EX. SECTION LINE
- PROPERTY BOUNDARY LINE
- EX. EASEMENT

SURVEY INFORMATION

DATE OF SURVEY: 9-24-2021
BASIS OF BEARING: THE NORTH LINE OF SECTION 11
HAS AN ASSUMED BEARING OF S89°40'14"E

Neset
LAND SURVEYS

11/22/21 12:03:01PM \\2016SRV\Shared Files\Neset Shared Files\Cole Projects_2021_Projects\21001_NORTH DAKOTA PROPERTY SURVEYS\20 Thomsen Subdivision\20 Thomsen Subdivision Plat.dwg

DEED RESTRICTION

Pursuant to Section 309 of the Cass County Subdivision Ordinance, this **DEED RESTRICTION** is entered into this 23 day of Nov., 2021, by
Owner(s): Floyd Longlet

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 40.00 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 141 NORTH, RANGE 52 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, LESS THE FOLLOWING:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE S00°06'02"W ON AND ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 584.00 FEET; THENCE S89°40'13"E PARALLEL TO THE NORTH LINE OF SAID SECTION 11 FOR A DISTANCE OF 364.00 FEET; THENCE N00°06'02"E PARALLEL TO THE WEST LINE OF SAID SECTION FOR A DISTANCE OF 584.00 FEET TO THE NORTH LINE OF SAID SECTION 11; THENCE N89°40'14"W ALONG SAID NORTH LINE A DISTANCE OF 364.00 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS 4.88 ACRES MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

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

Floyd Longlet

Floyd Longlet

11-23-2021
Date

State of ~~North Dakota~~ Texas)
) ss
County of ~~Cass~~ Gonzales)

On this 23rd day of November, 2021, before me, a notary public within and for said county and state, personally appeared Floyd Longlet, known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same.

SAMMIE A. MASSIE
Notary Public, State of Texas
Notary ID# 573996-2
My Commission Expires
FEBRUARY 7, 2025

Sammie A. Massie
Notary Public

The foregoing instrument was acknowledged before me, this _____ day of _____, 2021, by Jason Benson, County Engineer.

_____
County Engineer Signature

_____
Date

State of North Dakota)
) ss
County of Cass)

On this _____day of _____, 2021, 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.

_____
Notary Public

Agenda Item No. E.4

Cass County Planning Commission Staff Report

Entitlements Requested:	**Minor Subdivision (1 Lot)** of a part of the SE ¼ of Section 34, Township 138 North, Range 49 West		
Title:	**Score Residence Subdivision**	**Date:**	10-20-2021
Location:	SE ¼ of Section 34, Township 138 North, Range 49 West (Stanley Township)	**Staff Contact:**	Grace Puppe
Parcel Number:	64-0000-02932-000	**Water District:**	Southeast Water District
Owner(s)/Applicant:	Eric Score	**Engineer/ Surveyor:**	KPH, Inc.
Status:	Planning Commission Hearing: January 27, 2022		

Existing Land Use	Proposed Land Use
Agriculture	Commercial

Proposal

The applicant is seeking approval of a minor subdivision entitled **Score Residence Subdivision** to plat a one (1) Lot subdivision of approximately 7.95 acres. According to the applicant, the subdivision is requested to plat an existing Auditor's Lot to build a house and shop on. The applicant was bought out by the FM Diversion and this parcel was agreed upon between both parties to be built on.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use the existing County Road 21 road access, ditches for storm sewer conveyance, rural water, and on-site septic systems for wastewater treatment.

Agency Comments

County Engineer	This site has an existing access that would be allowed to remain for this subdivision.
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	Clear.
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 can be served from an 8 inch line that runs along 38th Street immediately east of the lot.
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	The township has approved a zoning change from agriculture to commercial and meets the zoning requirements of the township.
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 west and north. County Road 21 borders the east of the property with County Road 16 to the south.

Floodzone
According to the FEMA Flood Map Service Center, this property is currently located in Special Hazard Flood Area Zone A. 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
3. Deed Restriction

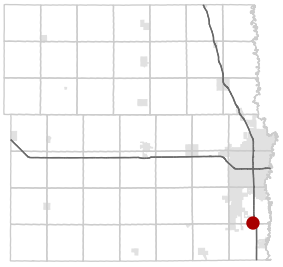
Minor Subdivision

Score Subdivision

Stanley Twp, Section 34 - Township 138 North - Range 49 West

Cass County Planning Commission
January 27, 2022

0 1,000 Feet



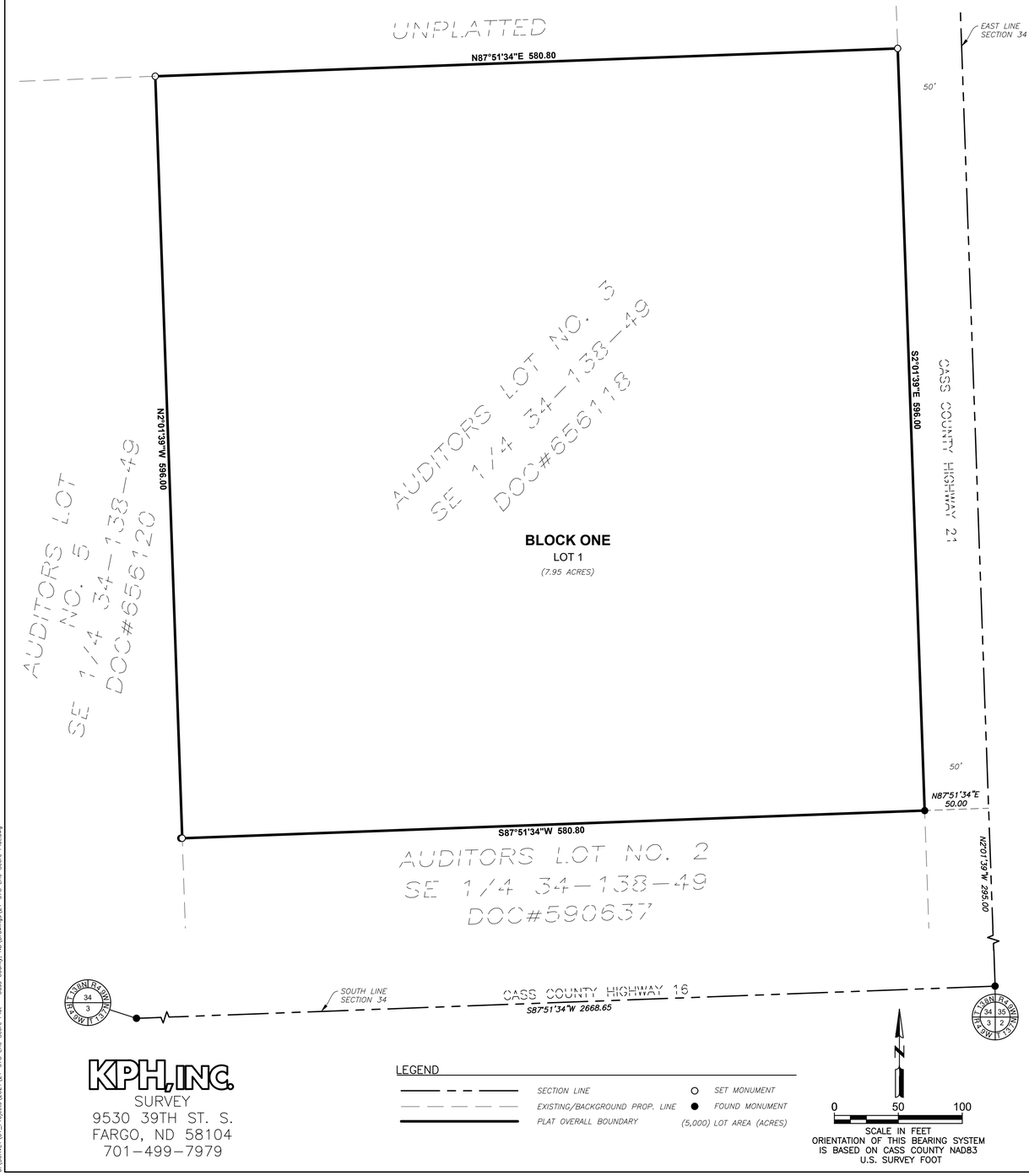
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

CASS COUNTY GOVERNMENT

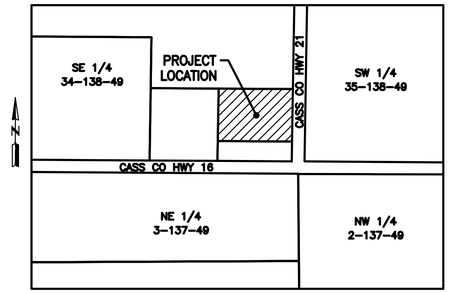
Plot Date & Time: 20 October 2021 4:41 PM

SCORE SUBDIVISION

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 34, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN CASS COUNTY, NORTH DAKOTA
A MINOR SUBDIVISION



KPH, INC.
SURVEY
9530 39TH ST. S.
FARGO, ND 58104
701-499-7979



OWNER'S CERTFICIATE

KNOW ALL PERSONS BY THESE PRESENTS, That Eric Score, owner of a parcel of land located in that part of the Southeast Quarter of the Southeast Quarter of Section 34, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, being more particularly described as follows:

Auditors Lot Number Three of the Southeast Quarter of Section 34, Township 138 North, Range 49 West of the Fifth Principal Meridian, recorded as Document Number 656118, on file and of record in the Office of the County Recorder, Cass County, North Dakota.

Containing 7.96 acres, more or less.

Said owners of the above described property, have caused the same to be surveyed and platted as "SCORE SUBDIVISION" to Cass County, North Dakota.

OWNER:
Cass County Joint Water Resource District

_____
Dan Jacobson, Chair

_____
Carol Harbeke Lewis, Secretary

State of North Dakota)
) SS
County of Cass)

On this __ day of _____ 20__, appeared before me, Dan Jacobson, Chair and Carol Harbeke Lewis, Secretary, 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 Joint Water Resource District.

Notary Public: _____

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 Surveyor
Registration No. LS-27292

State of North Dakota)
) SS
County of Cass)

On this _____ day of _____ , 20_____, appeared before me, Joshua J. Nelson, known to me to be the 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: _____

CASS COUNTY PLANNING COMMISSION APPROVAL

Approved by the Cass County Planning Commission this __ day of _____ 20____.

_____
Ken Lougheed, Chairman

Attest:_____
Lisa Shasky, Secretary

CASS COUNTY BOARD OF COMMISSIONERS APPROVAL

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

_____
Chad Peterson, Chairman

Attest:_____
Brandy Madrigga, Financial Director

STANLEY TOWNSHIP APPROVAL

Approved by Stanley Township this __ day of _____ 20___.

_____
Todd Ellig, Chairman

Attest:_____
Max Cossette, Clerk

CASS COUNTY ENGINEER APPROVAL

Approved by Cass County Engineer this __ day of _____ 20___.

_____
Jason Benson, Cass County Engineer

G:\SURVEY\01_Projects\2021\21-578 Eric Score Plat - Cass County, ND\Drawings\21-578 Eric Score Plat.dwg

DEED RESTRICTION

Pursuant to Section 309 of the Cass County Subdivision Ordinance, this **DEED RESTRICTION** is entered into this 19th day of January, 2022, by Cass County Joint Water Resource District, a North Dakota political subdivision with a post office address of 1201 Main Avenue West, West Fargo, North Dakota, 58078 ("Owner").

1. PURPOSE

Owner recognizes the objectives of this **DEED RESTRICTION** are 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. This **DEED RESTRICTION** will promote 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. LEGAL DESCRIPTION OF THE RESTRICTED PARCEL

Auditor's Lot 5 of the Southeast Quarter of Section 34, Township 138 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, less the South 225.00 feet of the East 380.57 feet of said Lot 5.

Together with

The North 700.00 feet of the West 1660.00 feet of the North Half of the Northeast Quarter of Section 3, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, less the North 70.00 feet thereof.

Said tract contains 32 acres more or less.

Collectively, the property described above is the "Restricted Property".

3. TERMS

Owner consents and agrees to the filing of this **DEED RESTRICTION**, and understands that its effect will be to limit construction or improvement of any further residences, divisions, or nonagricultural development on the Restricted Property, except as may be permitted by Section 309.02 of the Cass County Subdivision Ordinance and any amendment, and except as described in this **DEED RESTRICTION**. The remaining terms of this **DEED RESTRICTION** are as follows:

A. This **DEED RESTRICTION** will automatically terminate if the Restricted Property is completely within the extraterritorial (ET) boundaries of an incorporated city of Cass County;

B. This **DEED RESTRICTION** will automatically terminate if the Restricted Property is completely annexed by an incorporated city of Cass County; or

C. Any further subdivision of the Restricted Property 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.

D. Owner acquired the Restricted Property as part of its land acquisitions for a flood control project known as the Fargo-Moorhead Metropolitan Area Flood Risk Management Project, commonly referred to as the Fargo-Moorhead Area Diversion Project (the "Diversion Project"), consisting of a channel and side slopes with containment berms, retention structures, wetland features, river control structures, mobility improvements, recreational facilities, utilities and other improvements. Nothing in this **DEED RESTRICTION**, and nothing in the Cass County Subdivision Ordinance, in effect at the time of Owner's execution of this **DEED RESTRICTION**, or in any future amendment, will limit Owner's ability to construct, operate, maintain, reconstruct, improve, modify, repair, or inspect the Diversion Project, or Owner's ability to construct, operate, maintain, reconstruct, improve, modify, repair, or inspect any flood control project, legal assessment drain, water retention project, or any other water infrastructure or project for purposes of flood protection, erosion control, drainage, or watershed improvement on the Restricted Property.

E. This **DEED RESTRICTION** will run with the Restricted Property in perpetuity and will be binding upon all owners, successors, heirs, assigns, lessees, users, or parties having or acquiring any right, title, or interest in the Restricted Property.

F. The Restricted Property described herein meets the criteria established in Section 308 of the Cass County Subdivision Ordinance.

G. This **DEED RESTRICTION** will automatically terminate if any of the exceptions under Section 309.02 of the Cass County Subdivision Ordinance, in effect at the time of Owner's execution of this **DEED RESTRICTION**, or in any future amendment apply to the Restricted Property. Upon the written request of any interested party, the Cass County Engineer has authority to execute and record an instrument with the Cass County Recorder to declare the application of any of the exceptions under Section 309.02.

4. 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 will apply.

IN WITNESSWHEREOF, Owner executed this **DEED RESTRICTION** on the date written above.

CASS COUNTY JOINT WATER RESOURCE DISTRICT

By: _____
Dan Jacobson, Chair

ATTEST:

_____
Carol Harbeke Lewis
Secretary-Treasurer

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this 19th day of January, 2022, before me, a Notary Public in and for said County and State, personally appeared Dan Jacobson and Carol Harbeke Lewis, to me known to be the Chair and Secretary-Treasurer, respectively, of the Cass County Joint Water Resource District, and who executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of the Cass County Joint Water Resource District.

MELISSA MAERTENS
Notary Public
State of North Dakota
My Commission Expires July 3, 2024

_____
Notary Public, Cass County, ND

(SEAL)

The foregoing instrument was acknowledged before me, this 18th day of January, 2020, by Jason Benson, County Engineer.

_____
County Engineer Signature

1/18/2022
Date

State of North Dakota)
) ss
County of Cass)

On this 18th day of January, 2022, 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.

_____
Notary Public

GRACE PUPPE
Notary Public
State of North Dakota
My Commission Expires Feb. 4, 2023