



Highway Department

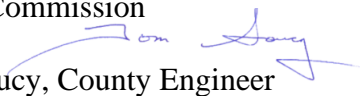
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SMB-HWY@casscountynd.gov

MEMORANDUM

TO: Cass County Commission

FROM: Thomas B. Soucy, County Engineer 

DATE: April 8, 2024

SUBJECT: Agenda Item for April 15, 2024, Cass County Commission.
Cass Hwy 14 Access Permit – Oak Valley Plat

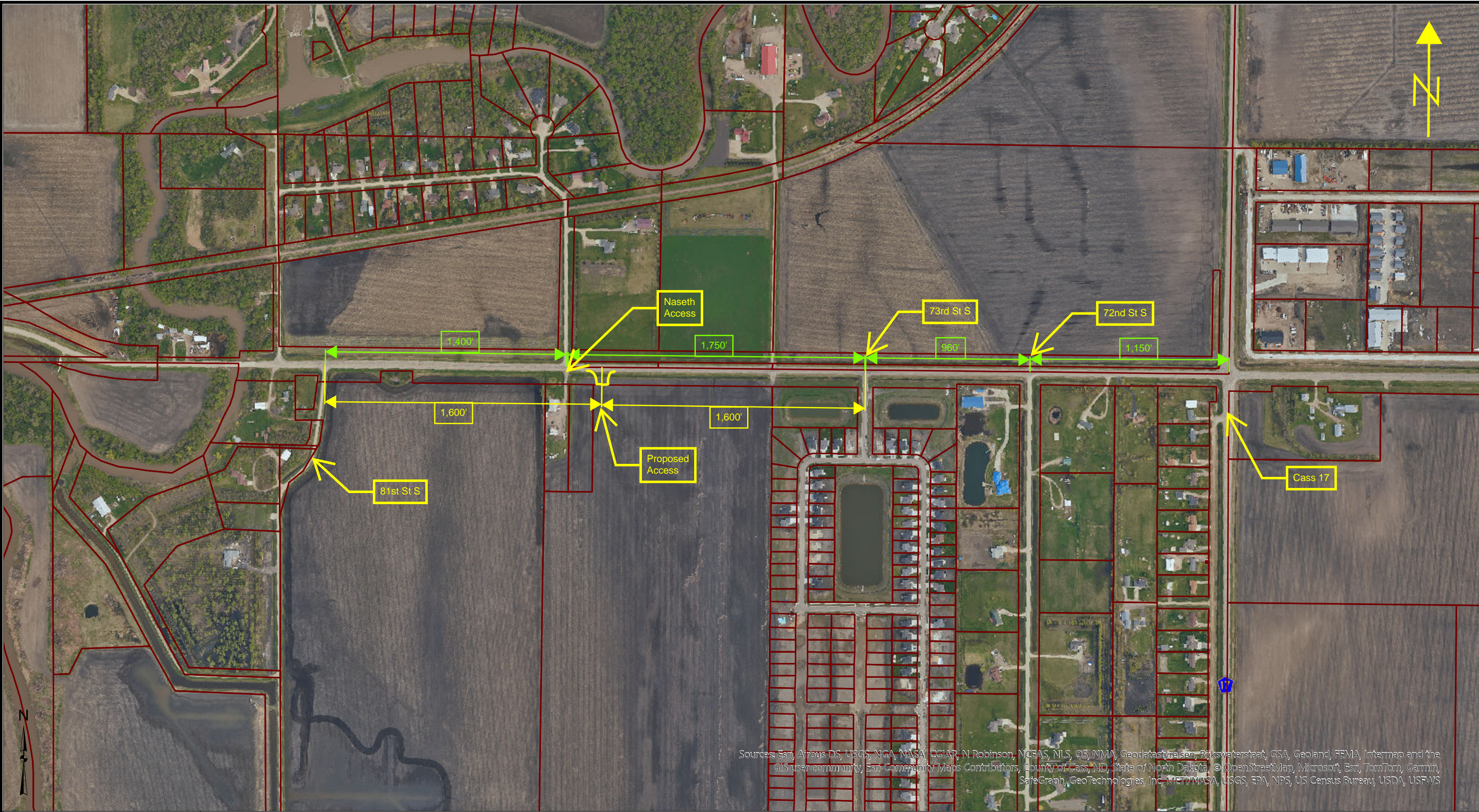
The Highway Department has been working with the City of Horace and the developer of the Oak Valley subdivision to come to an agreement on the proposed access location along Cass County Hwy 14 west of Cass County Hwy 17. The existing accesses on the south side of Cass County Hwy 14 between Cass County Hwy 17 and the Sheyenne River are cumbersome. There are accesses for private drives, commercial businesses, township roads, cemeteries, and residential subdivisions. The location of the existing accesses makes it difficult to accommodate new access points all while following our County standards to make a safe roadway for the traveling public.

The existing spacing for this section of roadway from east to west is as follows: Cass County Hwy 17 to 72nd St S (1,150'), 72nd St S to 73rd St S (960'), 73rd St S to Naseth Property (1,750'), and Naseth Property to 81st St S (1,400'). With the knowledge we have of current and future developments in that area we feel as though the major intersection locations will be at 73rd St S, the new access location (Robin Rd), and 81st St S. Once these major intersections are built out, they will warrant full turnlane sections. To accommodate full intersections, we will need a minimum of 1,600' between major intersections to build effectively. The Highway Department's proposed location would be to place the new access 215' East of the Naseth access. By placing the new access here that would give 1,600' on either side of our planned major intersection locations at 73rd St S and 81st St S. Given the situation this meets the Chapter 10 requirements of Cass County Highway Access Ordinance. This ordinance states that accesses shall generally be restricted to one access per one quarter mile.

With respect to the proximity to the Naseth access we feel as though the low traffic that utilizes this access would not interfere with the new proposed access location. When traffic warrants full turnlanes at these major intersections or when parcels on the north side of Cass County Hwy 14 are platted, the Highway Department will need to work with the landowners/developers to align the proposed locations to match the south access locations. The Highway Department will also need to continue to work with the Naseth Property access to utilize the proposed Robin Road access from Cass Highway 14. This will ensure continued safe future traffic movements in this area.

SUGGESTED MOTION: AUTHORIZE THE COUNTY ENGINEER TO SIGN THE CASS HWY 14 ACCESS PERMIT FOR THE OAK VALLEY PLAT AT THE PROPOSED LOCATION.

J:\Admin-Eng\Commission Corrsp\2024 Commission Correspondence\Cass Hwy 14 Access Permit Oak Valley Plat\Cass Hwy 14 Access Permit Oak Valley Plat.docx



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, County of Cass, ND, State of North Dakota, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Cass Hwy 14 Access Permit - Oak Valley Plat

Date: 4/9/2024

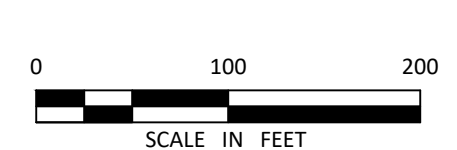
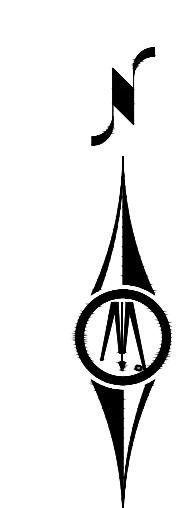
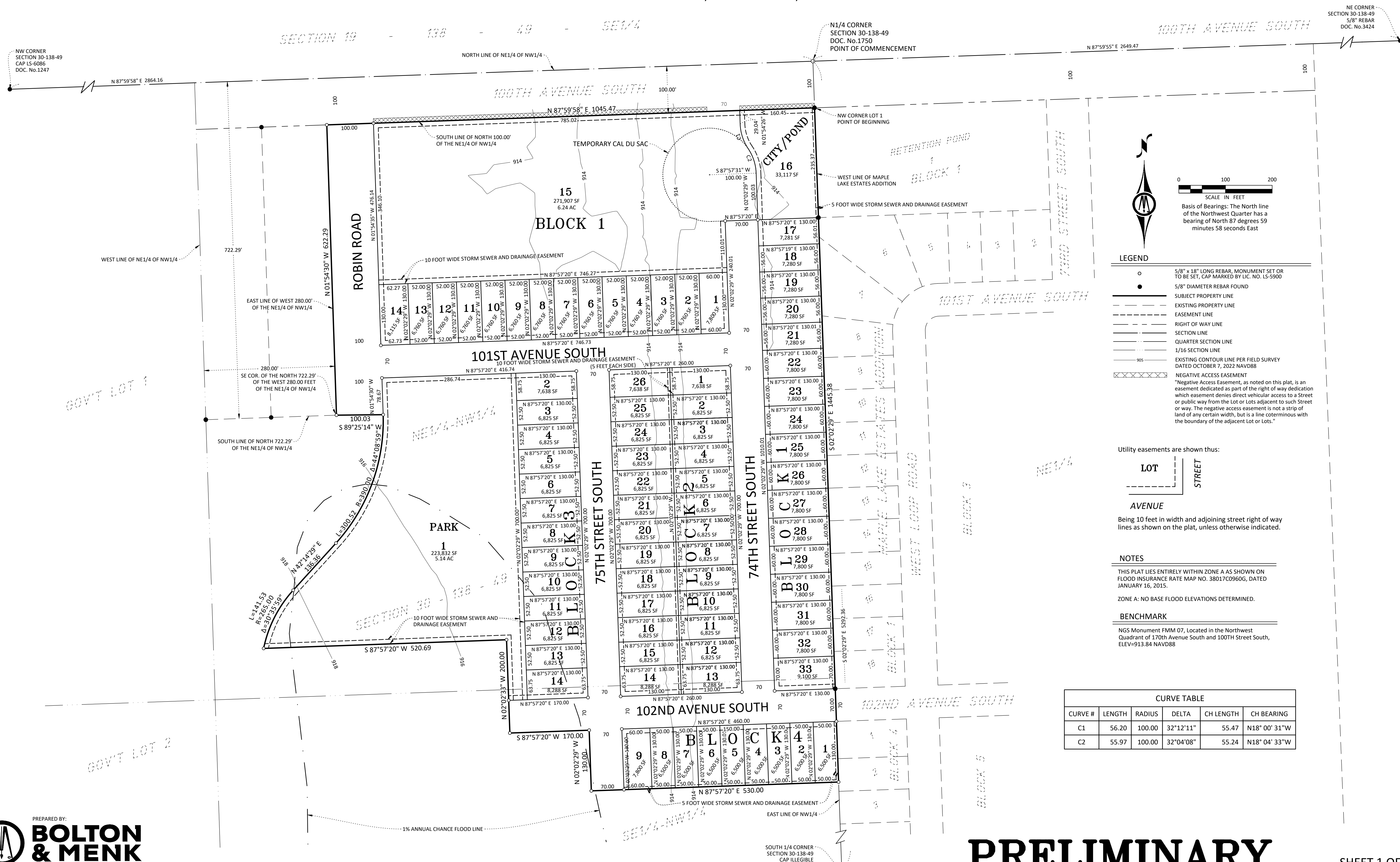
Cass County Government



This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

OAK VALLEY ADDITION

AN UNPLATTED PORTION OF THE NORTHWEST QUARTER, SECTION 30, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN
TO THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA

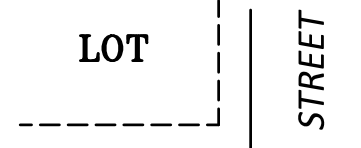


Scale in Feet
Basis of Bearings: The North line of the Northwest Quarter has a bearing of North 87 degrees 59 minutes 58 seconds East

LEGEND

- 5/8" x 18" LONG REBAR, MONUMENT SET OR TO BE SET, CAP MARKED BY LIC. NO. LS-5900
 - 5/8" DIAMETER REBAR FOUND
 - SUBJECT PROPERTY LINE
 - - - EXISTING PROPERTY LINE
 - - - EASEMENT LINE
 - - - RIGHT OF WAY LINE
 - - - SECTION LINE
 - - - QUARTER SECTION LINE
 - - - 1/16 SECTION LINE
 - - - EXISTING CONTOUR LINE PER FIELD SURVEY DATED OCTOBER 7, 2022 NAVD88
 - XXXXX NEGATIVE ACCESS EASEMENT
- "Negative Access Easement, as noted on this plat, is an easement dedicated as part of the right of way dedication which easement denies direct vehicular access to such Street or public way from the Lot or Lots adjacent to such Street or way. The negative access easement is not a strip of land of any certain width, but is a line coterminous with the boundary of the adjacent Lot or Lots."

Utility easements are shown thus:



AVENUE

Being 10 feet in width and adjoining street right of way lines as shown on the plat, unless otherwise indicated.

NOTES

THIS PLAT LIES ENTIRELY WITHIN ZONE A AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 38017C0960G, DATED JANUARY 16, 2015.

ZONE A: NO BASE FLOOD ELEVATIONS DETERMINED.

BENCHMARK

NGS Monument FMM 07, Located in the Northwest Quadrant of 170th Avenue South and 100th Street South, ELEV=913.84 NAVD88

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	56.20	100.00	32°12'11"	55.47	N18°00'31"W
C2	55.97	100.00	32°04'08"	55.24	N18°04'33"W



PRELIMINARY

OAK VALLEY ADDITION

AN UNPLATTED PORTION OF THE NORTHWEST QUARTER, SECTION 30, TOWNSHIP 138 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN TO THE CITY OF HORACE, CASS COUNTY, NORTH DAKOTA

OWNER'S CERTIFICATE

We, the undersigned, do hereby certify that we are the Owners of the land described in the plat of "OAK VALLEY ADDITION" to the City of Horace, Cass County, North Dakota; That we have caused it to be platted into 82 Lots and 4 Blocks as shown by said plat and Certificate of Shawn M. Thomasson, Registered Professional Land Surveyor, and that the description as shown in the Certificate of the Registered Professional Land Surveyor is correct. We hereby dedicate the streets, and utility easements, and storm sewer and drainage easements, as shown on said plat to the public for public use.

OWNER: ALL EXCEPT Lot 16, Block 1 and Lot 1, Block 3
Horace 100, LLC

By: James R. Bullis, President

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared James R. Bullis, President, Horace 100, LLC, a North Dakota limited liability company, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of Horace 100, LLC.

Notary Public

RECIPIENT: Lot 16, Block 1
City of Horace

By: Kory Peterson, Mayor

Attest: Brenton Holper, City Auditor

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Kory Peterson, Mayor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of Horace.

Notary Public

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Brenton Holper, City Auditor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of Horace.

Notary Public

RECIPIENT: Lot 1, Block 3
Horace Park District

By: Wade Frank, President

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Wade Frank, President, Horace Park District, known to me to be the person who is described in and who executed the within instrument and acknowledged to me that he executed the same on behalf of the Horace Park District.

Notary Public

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

Shawn M. Thomasson, being duly sworn, deposes and says that he is the Registered Professional Land Surveyor who prepared and made the attached plat of "OAK VALLEY ADDITION" to the City of Horace, being an unplatted portion of the Northwest Quarter of Section 30, Township 138 North, Range 49 West of the Fifth Principal Meridian, 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 said monuments have been placed or will be placed in the ground as indicated for the guidance of future surveys, and that said Addition is described as follows, to-wit:

That part of the Northwest Quarter of Section 30, Township 138 North, Range 49 West of the Fifth Principal Meridian, said Cass County, described as follows:

Commencing at the north quarter corner of said Section 30; thence South 02 degrees 02 minutes 29 seconds East on an assumed bearing along the east line of said Northwest Quarter for a distance of 100.00 feet to the northwest corner of Lot 1, Block 1, MAPLE LAKE ESTATES ADDITION, according to the recorded plat thereof, on file and of record in the office of the Recorder, Cass County, North Dakota and the point of beginning; thence South 02 degrees 02 minutes 29 seconds East along the east line of said Northwest Quarter and along the west line of said MAPLE LAKES ESTATES ADDITION for a distance of 1445.38 feet; thence South 87 degrees 57 minutes 20 seconds West for a distance of 530.00 feet; thence North 02 degrees 02 minutes 29 seconds West for a distance of 130.00 feet; thence South 87 degrees 57 minutes 20 seconds West for a distance of 170.00 feet; thence North 02 degrees 02 minutes 33 seconds West for a distance of 200.00 feet; thence South 87 degrees 57 minutes 20 seconds West for a distance of 520.69 feet; thence northeasterly on a non-tangential curve concave to the southeast, having a radius of 265.00 feet, a central angle of 30 degrees 35 minutes 59 seconds and a chord bearing of North 26 degrees 56 minutes 29 seconds East (chord distance of 139.86 feet), for an arc distance of 141.53 feet; thence North 42 degrees 14 minutes 29 seconds East for a distance of 136.36 feet; thence northerly on a tangential curve concave to the west, having a radius of 390.00 feet and a central angle of 44 degrees 08 minutes 59 seconds for an arc distance of 300.52; thence South 89 degrees 25 minutes 14 seconds West for a distance of 100.03 feet to the southeast corner of the north 722.29 feet of the west 280.00 feet of said Northeast Quarter of the Northwest Quarter, as measured at a right angle to and parallel with the north and west lines of said Northeast Quarter of the Northwest Quarter; thence North 01 degree 54 minutes 30 seconds West along the east line of the west 280.00 feet of said Northeast Quarter of the Northwest Quarter, for a distance of 622.29 feet to the south line of the north 100.00 feet of said Northwest Quarter; thence North 87 degrees 59 minutes 58 seconds East along said south line for a distance of 1045.47 to the point of beginning.

Said tract of land contains 31.74 acres, more or less, and is subject to all easements, restrictions, reservations, and rights of way of record, if any.

Shawn M. Thomasson, Registered Professional Land Surveyor
North Dakota License Number LS-5900

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Shawn M. Thomasson, Registered Professional Land Surveyor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same.

Notary Public

CITY ENGINEER'S APPROVAL

Approved by the Horace City Engineer this ____ day of _____, 2024.

James Dahlman, City Engineer

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared James Dahlman, City Engineer, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Engineer for the City of Horace.

Notary Public

CITY ATTORNEY'S APPROVAL

I hereby certify that proper evidence of title has been examined by me and I approve the plat as to form and execution this ____ day of _____, 2024.

Lukas W. Croaker, City Attorney

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Lukas W. Croaker, City Attorney, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as City Attorney of the City of Horace.

Notary Public

HORACE PLANNING AND ZONING COMMISSION APPROVAL

This plat in the City of Horace is hereby approved this ____ day of _____, 2024.

Russell Sahr, Chairman

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024 before me, a notary public within and for said County and State, personally appeared Russell Sahr, Chairman, Horace Planning and Zoning Commission, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the Horace Planning and Zoning Commission.

Notary Public

CITY COUNCIL APPROVAL

This plat in the City of Horace is hereby approved this ____ day of _____, 2024.

Kory Peterson, Mayor

Attest: Brenton Holper, City Auditor

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Kory Peterson, Mayor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of Horace.

Notary Public

State of North Dakota }
County of Cass }SS

On this ____ day of _____, 2024, before me, a notary public within and for said County and State, personally appeared Brenton Holper, City Auditor, known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same on behalf of the City of Horace.

Notary Public

PRELIMINARY

