

CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, March 28, 2024 at 7:00 a.m.

Cass County Highway Dept., 1201 Main Ave W, West Fargo, ND 58078

A. Call to Order

B. Roll Call

C. Determination of a Quorum

D. Approve Meeting Minutes of February 22, 2024

E. Public Hearing Items

1. Hearing on an application requesting a Minor Subdivision Plat of **ASD Subdivision** located in Section 6, Township 143 North, Range 55 West of the 5th Principal Meridian, Rochester Township, Cass County, North Dakota.
2. Hearing on an application requesting a Minor Subdivision Plat of **Voigt Subdivision** located in Section 32, Township 142 North, Range 49 West of the 5th Principal Meridian, Wisner Township, Cass County, North Dakota.
3. Hearing on an application requesting a Minor Subdivision Plat of **FMD-Harwood Subdivision** located in Township 141 North, Range 49 West of the 5th Principal Meridian, Harwood Township, Cass County, North Dakota.
4. Hearing on an application requesting a Minor Subdivision Plat of **FMD-Berlin Subdivision** located in Sections 24, 25, and 36, Township 142 North, Range 49 West of the 5th Principal Meridian, Berlin Township, Cass County, North Dakota.
5. Hearing for the purpose of presenting the 2023 Storm Water Pollution Prevention Program Summary and for public input on the Cass County Stormwater Pollution Prevention Plan.

F. New Business

G. Old Business

1. Opening on Planning Commission for a Fargo Resident

H. Adjournment

CASS COUNTY PLANNING COMMISSION
February 22, 2024

A. CALL TO ORDER

A meeting of the Cass County Planning Commission was called to order February 22, 2024 at 7:06 am in the West Fargo Public Works conference room.

B. ROLL CALL

Planning Commissioners attending in person were Ken Lougheed, Dr. Tim Mahoney, Brad Olson, Keith Gohdes and Hugh Veit. David Gust, Keith Monson, and Commissioner Duane Breitling were absent.

Attending in person were Cole Hansen, Cass County Planner, Tom Soucy, Interim Cass County Engineer. Katherine Naumann, Senior Attorney attended 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. Veit wanted additional clarification to the New Business from January regarding confidentiality concerns for NDDA Regional Livestock Planning Grant. The January minutes have been updated.

Mr. Olson moved and Dr. Mahoney seconded to approve the minutes of the January 25, 2024 meeting as presented.

Motion carried.

E. PUBLIC HEARING

1. Hearing on an application requesting a Minor Subdivision Plat of Rutten Subdivision located in Section 33, Township 139 North, Range 50 West of the 5th Principal Meridian, Mapleton Township, Cass County, North Dakota.

Mr. Lougheed opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Rutten Subdivision to plat a two (2) Lot subdivision of approximately 17.7 acres. According to the applicant, the subdivision is requested to help convey land to future Rutten generations by separating the home and farmstead from the tillable land.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use County Road 8 for road access, ditches for storm sewer conveyance, rural water. The property currently does have an on-site septic system for wastewater treatment.

Mr. Hansen further explained that Mr. Rutten's son does not have the means to purchase the entire parcel, but this is to set him up for future land purchases as Mr. Rutten is preparing to retire from farming.

Mr. Veit asked about the property. There are 2 lots, one for a house and one for farm buildings, but could build another house if desired.

There was no additional public comment, the public hearing was closed.

MOTION, *passed*

Dr. Mahoney moved, and Mr. Gohdes seconded 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.

F. NEW BUSINESS

Subdivision Ordinance

There will be a modification regarding Deed Restrictions. Any changes or modifications to a deed restriction after a subdivision approval will be a public hearing where the Planning Commissioners will review and approve or reject the changes.

G. OLD BUSINESS

Opening on Planning Commission for a Fargo Resident

Dr. Mahoney had a person that is interested in the position, and he will contact Mr. Hansen to get the process started.

NDDA Regional Livestock Planning Grant

This grant was approved and the States Attorney said that Cass County will be enforcing confidentiality.

Diversion plats

Diversion plats will be starting again in March 2024. Planning Department expect two coming. This will follow the same process and if any part of it is denied; example, the townships do not agree and will not sign the plat, then it will have to start again with any adjustments. A slightly different process will be followed for plats as they begin to enter the ET of the cities of West Fargo and Horace, with both the city and the county needing to fully approve plats.

Highway building updates

Highway Department has been under renovation since May 2023. It is expected that all future meetings will be held at the Highway Department upon completion in mid-March 2024.

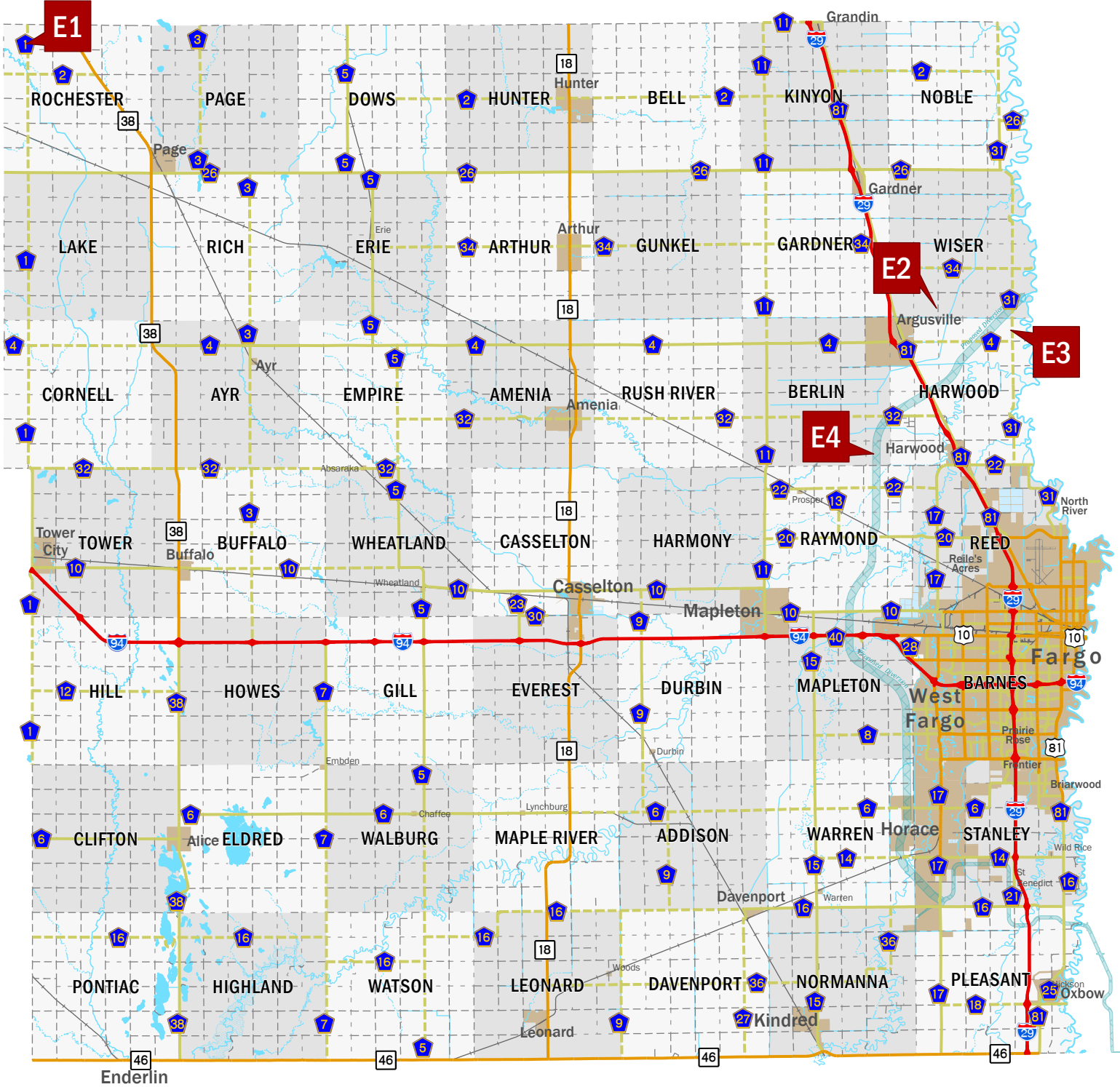
H. ADJOURNMENT

On motion by Mr. Veit and seconded by Mr. Olson and all voting in favor, the meeting was adjourned at 7:36 am.

Agenda Items

Cass County Planning Commission

March 28, 2024



Agenda Items:

- E1 - ASD Subdivision
- E2 - Voigt Subdivision
- E3 - FMD-Harwood Subdivision
- E4 - FMD-Berlin Subdivision

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 Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ¼ of Section 6, Township 143 North, Range 55 West		
Title:	ASD Subdivision	Date:	03/28/24
Location:	SE ¼ of Section 6, Township 143 North, Range 55 West (Rochester Township)	Staff Contact:	Cole Hansen
Parcel Number:	62-0000-11426-020, 62-0000-11426-040	Water District:	Maple River Water District
Owner(s)/Applicant:	Alfred, Sarah, and Dean Johnson	Engineer/Surveyor:	Neset Surveys
Status:	Planning Commission Hearing: March 28, 2024		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **ASD Subdivision** to plat a one (1) Lot subdivision of approximately 9.5 acres. According to the applicant, the subdivision is requested to combine two lots into one and remove the tillable land.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use County Road 1 for road access, ditches for storm sewer conveyance, rural water. The property currently does have an on-site septic system 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/T-Mobile/Congent	No comments were received prior to publishing the staff report.
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	No comments were received prior to publishing the staff report.
North Dakota Department of Transportation	No comment.
County Sanitarian	Neither of these houses have septic systems that have been permitted, so the department cannot say that these properties comply with code requirements.
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, south, and east sides of the lot. County Road 1 borders the east of the property.

Floodzone
 According to the FEMA Flood Map Service Center, this property is currently unmapped and no 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 5.04 (e) 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.

Attachments

1. Location Map
2. Plat Document

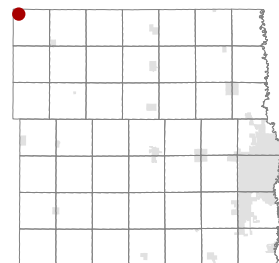
Minor Subdivision

ASD Subdivision

Section 6, Rochester Township
Township 143 North - Range 55 West



Cass County Planning Commission
March 28, 2024



Imagery: spring 2021
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.



ASD SUBDIVISION

PART OF THE EAST HALF OF SOUTHEAST QUARTER OF SECTION 6, T143N, R55W
CASS COUNTY, NORTH DAKOTA

CASS COUNTY ENGINEER'S APPROVAL

REVIEWED BY THE INTERIM CASS COUNTY ENGINEER THIS _____ DAY OF _____ 2024.

TOM SOUCY, INTERIM CASS COUNTY ENGINEER

CASS COUNTY PLANNING COMMISSION

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ 2024.

KEN LOUGHEED, CHAIRMAN

ATTEST:
SECRETARY

CASS COUNTY BOARD OF COMMISSION'S APPROVAL

REVIEWED BY CASS COUNTY, NORTH DAKOTA THIS _____ DAY OF _____ 2024.

CHAD PETERSON

ATTEST:
BRANDY MADRIGGA, CASS COUNTY FINANCIAL DIRECTOR

ROCHESTER TOWNSHIP

REVIEWED BY ROCHESTER TOWNSHIP, CASS COUNTY, NORTH DAKOTA THIS _____ DAY OF _____ 2024.

MIKE WHITMORE, CHAIRMAN

ATTEST:
MARVIN THORSON, CLERK/ TREASURER

SURVEYORS CERTIFICATE

I, COLE A. NESET, REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED ON THIS PLAT AS KING SUBDIVISION; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDREDTHS OF A FOOT; THAT ALL MONUMENTS ARE OR WILL BE INSTALLED CORRECTLY IN THE GROUND AS SHOWN; AND THAT THE EXTERIOR BOUNDARY LINES ARE CORRECTLY DESIGNATED. DATED THIS _____ DAY OF _____, 2024.

COLE A. NESET,
REGISTERED LAND SURVEYOR
LS-7513

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A. NESET, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: CASS STATE: NORTH DAKOTA

OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT ALFRED L. JOHNSON, SHARON A. JOHNSON, AND THE ABBY JOHNSON FAMILY TRUST, ARE THE OWNERS OF THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 143 NORTH, RANGE 55 WEST OF THE 5TH PRINCIPAL MERIDIAN TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 6, TOWNSHIP 143 NORTH, RANGE 55 WEST; THENCE N00°59'55"W ON AN ASSUMED BEARING ALONG THE EAST LINE OF SAID SECTION 6 A DISTANCE OF 693.02 FEET; THENCE S88°59'49"W A DISTANCE OF 75.00 FEET TO THE WEST LINE OF THE ROAD RIGHT OF WAY EASEMENT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING S88°59'49"W A DISTANCE OF 114.36 FEET; THENCE N02°33'53"W A DISTANCE OF 261.20 FEET; THENCE S89°43'15"W A DISTANCE OF 380.00 FEET; THENCE N03°56'20"W A DISTANCE OF 755.00 FEET; THENCE N89°55'43"E A DISTANCE OF 540.00 FEET TO SAID WEST LINE OF THE ROAD RIGHT OF WAY; THENCE S00°59'55"E ALONG SAID WEST LINE A DISTANCE OF 991.21 FEET TO THE POINT OF BEGINNING.

SAID OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND SHOWN ON THIS PLAT TO BE SURVEYED AND PLATTED AS ASD SUBDIVISION TO THE COUNTY OF CASS. SAID OWNER ALSO HEREBY DEDICATES AND CONVEYS TO THE PUBLIC, FOR PUBLIC USE, ALL STREET RIGHT OF WAYS AND UTILITY EASEMENTS SHOWN ON SAID PLAT. SAID ASD SUBDIVISION, CONSISTS OF ONE LOT AND ONE BLOCK, AND CONTAINS 9.55 ACRES, MORE OR LESS TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

BY: _____
ALFRED L. JOHNSON
ABBY JOHNSON FAMILY TRUST, TRUSTEE

BY: _____
SHARON A. JOHNSON

STATE OF _____)
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ALFRED A. JOHNSON AND SHARON L. JOHNSON, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____
MY COMMISSION EXPIRES: _____

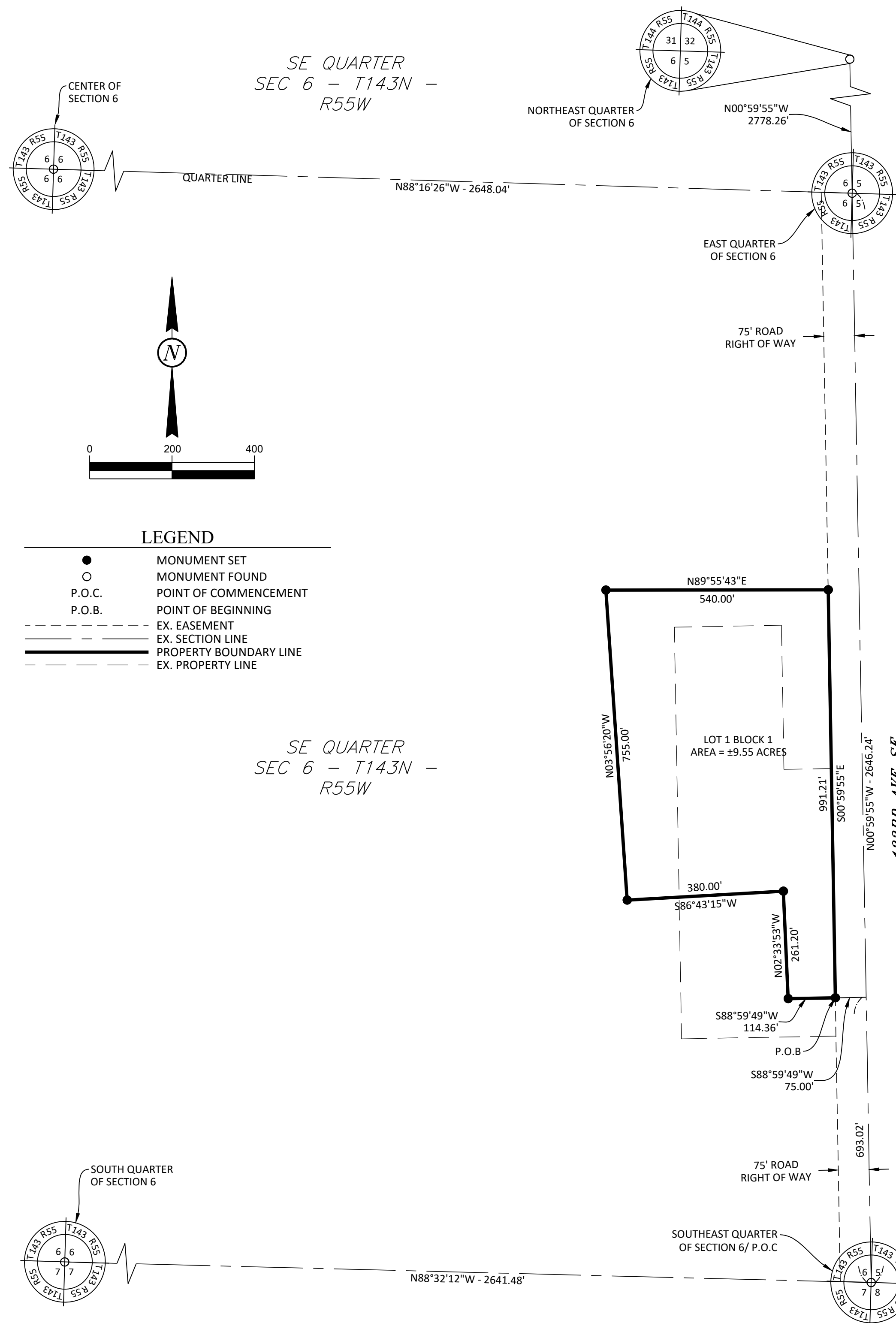
DEAN JOHNSON
ABBY JOHNSON FAMILY TRUST, TRUSTEE

STATE OF _____)
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DEAN JOHNSON, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED SAME AS THEIR FREE ACT AND DEED.

NOTARY PUBLIC, COUNTY: _____ STATE: _____
MY COMMISSION EXPIRES: _____

FOR RECORDING PURPOSES ONLY



LEGEND

- MONUMENT SET
- MONUMENT FOUND
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- - - EX. EASEMENT
- EX. SECTION LINE
- PROPERTY BOUNDARY LINE
- - - EX. PROPERTY LINE

SHEET 1 OF 1

SURVEY INFORMATION

DATE OF SURVEY: 01/04/2024
BASIS OF BEARING: ASSUMED BEARING OF N00°59'55"W ALONG THE EAST LINE OF SECTION 6

NOTES

- SAID ASD SUBDIVISION IS SUBJECT TO A 20.00 FOOT EASEMENT IN THE WESTERLY 150.00 FEET OF THE SOUTHEAST QUARTER AS PER DOC. NO. 1606657 AND 1606668.





Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (1 Lot) of a part of the SE ¼ of Section 32, Township 142 North, Range 49 West		
Title:	Voigt Subdivision	Date:	03/28/24
Location:	SE ¼ of Section 32, Township 142 North, Range 49 West (Wiser Township)	Staff Contact:	Cole Hansen
Parcel Number:	70-000013632-010	Water District:	North Cass Water District
Owner(s)/Applicant:	Loren and Alice Richards	Engineer/Surveyor:	RJN Survey
Status:	Planning Commission Hearing: March 28, 2024		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Voigt Subdivision** to plat a one (1) Lot subdivision of approximately 4.6 acres. According to the applicant, the subdivision is requested to separate the existing farmstead from the tillable land.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 170th Ave SE for road access, ditches for storm sewer conveyance, rural water. The property currently does have an on-site septic system 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/T-Mobile/Congent	No comments were received prior to publishing the staff report.
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	Has private well service, not seeking rural water service.
North Dakota Department of Transportation	No comment.
County Sanitarian	Property meets code requirements and has an approved and licensed septic system. There are no issues.
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, south, and east sides of the lot. 170th Ave SE borders the east of the property.

Floodzone
 According to the FEMA Flood Map Service Center, this property is currently unmapped and no 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 5.04 (e) 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.

Attachments

1. Location Map
2. Plat Document

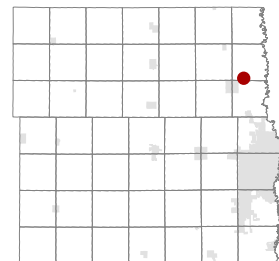
Minor Subdivision

Voigt Subdivision

Section 32, Wisner Township
Township 142 North - Range 49 West



Cass County Planning Commission
March 28, 2024



Imagery: spring 2021
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Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (19 Lot) of a part of Township 141 North, Range 49 West		
Title:	FMD-Harwood Subdivision	Date:	03/28/24
Location:	Township 141 North, Range 49 West (Harwood Township)	Staff Contact:	Cole Hansen
Parcel Number:		Water District:	Rush River Water District
Owner(s)/Applicant:	Cass County Water Resource District	Engineer/Surveyor:	AE2S
Status:	Planning Commission Hearing: March 28, 2024		

Existing Land Use	Proposed Land Use
Agricultural	Agricultural
Proposal	

The applicant is seeking approval of a minor subdivision entitled **FMD-Harwood Subdivision** to plat a nineteen (19) Lot subdivision of approximately 1,496 acres. According to the applicant, the subdivision is requested to plat the diversion channel.

The proposed ownership and maintenance responsibility of the subdivision will be public.

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/T-Mobile/Congent	No comments were received prior to publishing the staff report.
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	No comments were received prior to publishing the staff report.

North Dakota Department of Transportation	No comment.
County Sanitarian	No issues.
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, south, and east sides of the lot.

Floodzone
 Plat is for diversion channel and as such is a facility that is designed to flood and direct flood waters during a flood event.

Land Development Rights
 The subject quarter-quarter section currently is developed and requires the transfer of a development right. Section 5.04 (e) 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.

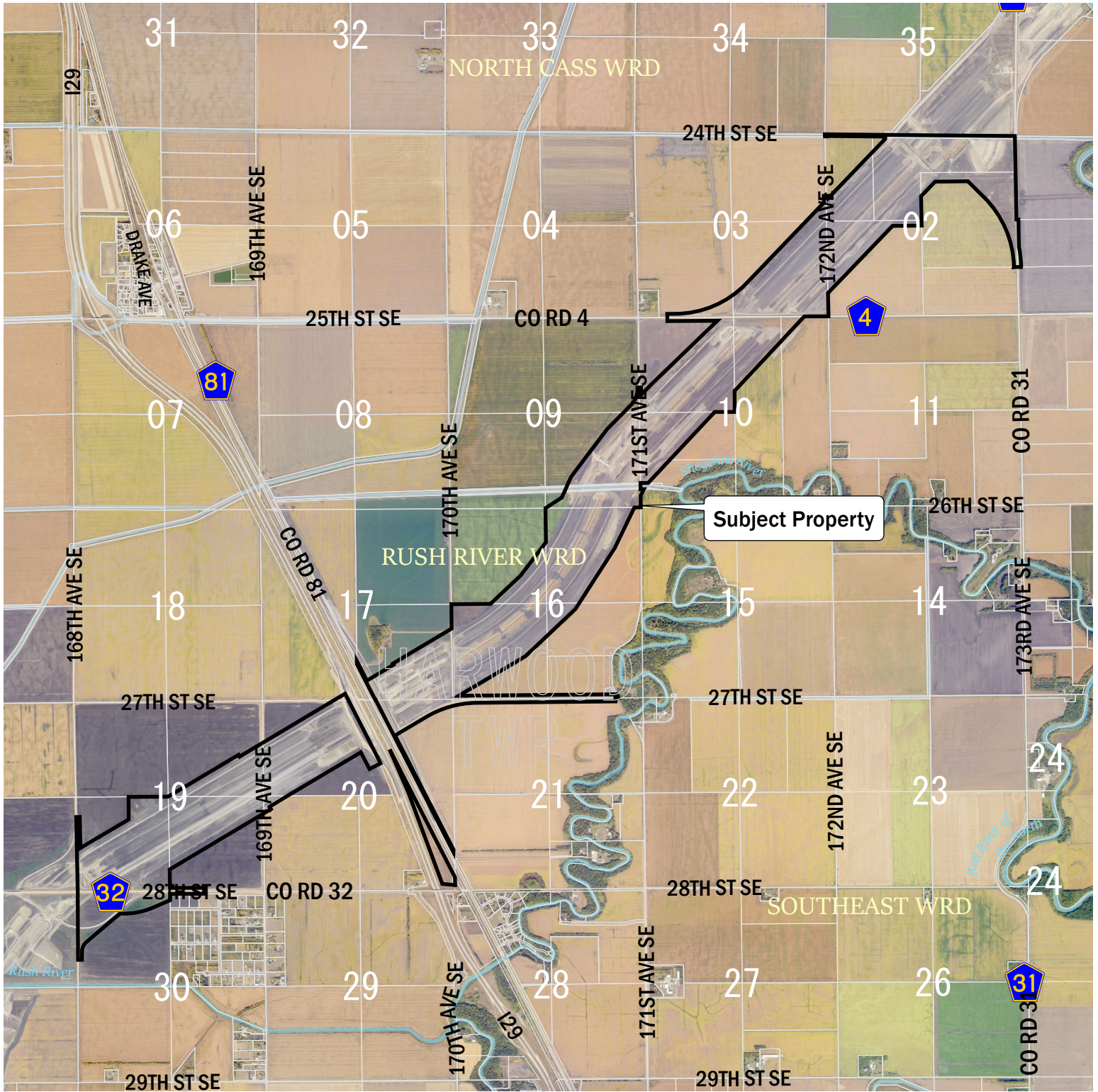
Attachments

1. Location Map
2. Plat Document
3. Variance Application

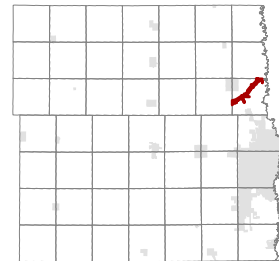
Minor Subdivision

FMD-Harwood Subdivision

Section 1, 2, 3, 9, 10, 16, 17, 19, 20, 21, 30, Harwood Township
Township 141 North - Range 49 West



Cass County Planning Commission
March 28, 2024



Imagery: NAIP, summer/fall 2023

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DESCRIPTION OF PLAT BOUNDARY

BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, AND 9

That part of Sections 1, 2, 3, 9, 10, 16, 17, 20, and 21 in Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, being further described as follows:

Beginning at the Northeast Corner of said Section 2; thence S03°12'17"E on the east line of said Section 2 a distance of 2,322.67 feet to the Northeast Corner of the Southeast Quarter (SE1/4) of said Section 2; thence N87°38'09"E on the north line of the Southwest Quarter (SW1/4) of Section 1 a distance of 60.00 feet; thence S03°12'17"E parallel with, and 50.00 feet east of the west line of said Section 1 a distance of 766.83 feet; thence S48.53 feet on the arc of a non-tangential curve, concave to the west, having a radius of 3,000.00 feet, a central angle of 10°28'34", and a long chord length of 547.77 feet bearing S08°26'35"E; thence S03°12'17"E, tangent to preceding curve, and 100.00 feet east of and parallel with the west line of said Section 1 a distance of 12.00 feet to the south line of the North Half of the Southwest Quarter (N1/2SW1/4) of said Section 1; thence S87°11'32"W on the south line of the N1/2SW1/4 of said Section 1 a distance of 100.00 feet to the west line of said Section 1; thence S87°32'04"W on the south line of the North Half of the Southeast Quarter (N1/2SE1/4) of said Section 2 a distance of 100.01 feet; thence N03°15'43"W a distance of 10.01 feet; thence 2,163.01 feet on the arc of a tangential curve, concave to the southwest, having a radius of 2,800.00 feet, a central angle of 44°15'40", and a long chord length of 2,109.62 feet bearing N25°20'06"W; thence N47°27'58"W a distance of 628.30 feet; thence S87°32'02"W a distance of 908.60 feet; thence S41°50'30"W a distance of 564.82 feet to the east line of the Northwest Quarter (NW1/4) of said Section 2; thence S03°10'32"E on said east line of the NW1/4 a distance of 819.93 feet; thence S87°32'02"W a distance of 810.44 feet; thence S41°50'30"W a distance of 2,592.02 feet to the west line of said Section 2; thence S03°08'18"E on said west line of said Section 2 a distance of 643.41 feet to the Southwest Corner of said Section 2; thence S87°33'49"W on the north line of said Section 10 a distance of 670.78 feet; thence S41°08'05"W a distance of 2,842.20 feet to the east line of the Northwest Quarter (NW1/4) of said Section 10; thence S02°51'40"E on the east line of the NW1/4 of said Section 10 a distance of 581.48 feet to the Southeast Corner of the NW1/4 of said Section 10; thence S87°35'05"W on the north line of the NW1/4 of said Section 10 a distance of 557.27 feet; thence S41°08'05"W a distance of 2,808.65 feet; thence S25°25'31"W a distance of 305.83 feet to the west line of said Section 10; thence S02°45'37"E on the west line of said Section 10 a distance of 333.15 feet to the Southwest Corner of said Section 10; thence S87°32'56"W on the north line of said Section 16 a distance of 178.01 feet; thence S23°53'35"W a distance of 1,250.73 feet; thence S30°46'59"W a distance of 2,025.57 feet; thence S44°43'16"W a distance of 1,911.56 feet; thence S57°13'38"W a distance of 2,152.96 feet; thence N87°27'11"E parallel with, and 100 feet north of, the south line of the Southwest Quarter (SW1/4) of said Section 16 a distance of 2,474.12 feet to the east line of the SW1/4 of said Section 16; thence N87°27'15"E parallel with, and 100 feet north of, the south line of the Southeast Quarter (SE1/4) of said Section 16 a distance of 1,918.71 feet to the centerline of the township road as currently located in said SE1/4; thence S30°05'03"E on said township road centerline a distance of 22.07 feet; thence continuing on said township road centerline 112.84 feet on the arc of a non-tangential curve, concave to the northwest, having a radius of 55.00 feet, a central angle of 117°32'46", and long chord length of 94.06 feet bearing S28°41'20"W to the south line of said SE1/4; thence S02°45'50"E a distance of 100.00 feet; thence S87°27'15"W parallel with, and 100.00 feet south of, the north line of the Northeast Quarter (NE1/4) of said Section 21 a distance of 1,879.88 feet to the west line of the NE1/4 of said Section 21; thence S87°27'11"W parallel with, and 100.00 feet south of, the north line of the Northwest Quarter (NW1/4) of said Section 21 a distance of 1,979.67 feet; thence 1,477.11 feet on the arc of a tangential curve, concave to the south, having a radius of 2,800.00 feet, a central angle of 30°13'33", a long chord length of 1,460.04 feet bearing S72°20'25"W; thence S57°13'38"W, tangent to said curve, a distance of 1,005.68 feet; thence S29°04'57"E parallel with, and 30.00 feet northeasterly of, the northeasterly County Highway No. 81 Right-of-Way line, a distance of 3,570.50 feet to a point 33.00 feet west of the east line of the Southeast Quarter (SE1/4) of said Section 20; thence S02°46'12"E parallel with, and 33.00 feet west of, said east line of the SE1/4, a distance of 67.68 feet to said northeasterly highway Right-of-Way line; thence N29°04'57"W on said northeasterly highway Right-of-Way line a distance of 4,717.14 feet to a point 33.00 feet south of the north line of the Northeast Quarter (NE1/4) of said Section 20; thence S87°34'03"W parallel with, and 33.00 feet south of, the north line of the NE1/4 of said Section 20 a distance of 145.45 feet to the northeasterly line of the Great Northern Railroad Right-of-Way; thence N29°04'57"W on said northeasterly railroad Right-of-Way line a distance of 73.84 feet; thence N87°34'03"E parallel with, and 33.00 feet north of, the south line of the Southeast Quarter (SE1/4) of said Section 17 a distance of 134.26 feet to the northeasterly County Highway No. 81 Right-of-Way Line; thence N29°04'57"W on said northeasterly highway right-of-way line a distance of 1,082.94 feet to the west line of the SE1/4 of said Section 17; thence N02°40'16"W on said west line a distance of 89.93 feet; thence S29°04'57"E parallel with, and 33.00 feet east of, said northeasterly highway right-of-way line a distance of 614.76 feet; thence N57°13'38"E a distance of 863.72 feet; thence N32°46'22"W a distance of 40.00 feet; thence N57°13'38"E a distance of 1,900.00 feet to the east line of said SE1/4 of said Section 17; thence N02°49'18"W on the east line of the SE1/4 of said Section 17 a distance of 679.36 feet to the Northeast Corner of the SE1/4 of said Section 17; thence N87°30'10"E on the south line of the Northwest Quarter (NW1/4) of said Section 16 a distance of 1,090.00 feet; thence N44°43'16"E a distance of 1,148.29 feet; thence N35°19'51"E a distance of 1,162.83 feet to the east line of the NW1/4 of said Section 16; thence N02°41'46"W on the east line of the NW1/4 of said Section 16 a distance of 950.00 feet to the Northeast Corner of said NW1/4 of said Section 16; thence N54°59'47"E a distance of 538.25 feet; thence N22°25'16"E a distance of 638.88 feet; thence N35°05'06"E a distance of 1,658.06 feet; thence N42°36'02"E a distance of 954.11 feet; thence 475.00 feet on the arc of a tangential curve, concave to the northeast, having a radius of 600.00 feet, a central angle of 45°21'33", a long chord length of 462.89 feet bearing N19°55'16"E; thence N02°45'31"W parallel with, and 50.00 feet west of, the east line of the Northeast Quarter (NE1/4) of said Section 9 a distance of 50.00 feet; thence N87°14'29"E a distance of 100.00 feet; thence S02°46'31"E parallel with, and 50.00 feet east of the west line of the Northwest Quarter (NW1/4) of said Section 10 a distance of 201.98 feet; thence N42°36'02"E a distance of 469.98 feet; thence N44°03'46"E a distance of 2,487.50 feet; thence S87°33'49"W parallel with, and 100.00 feet south of, the north line of the NW1/4 of said Section 10 a distance of 1,391.25 feet; thence N02°26'11"W a distance of 200.00 feet; thence N87°33'49"E parallel with, and 100.00 feet north of the south line of the Southwest Quarter (SW1/4) of said Section 3 a distance of 235.54 feet; thence 2,194.50 feet on the arc of a tangential curve, concave to the northwest, having a radius of 2,750.00 feet, a central angle of 45°43'19", a long chord length of 2,136.73 feet bearing N64°42'10"E; thence N41°50'30"E a distance of 3,120.44 feet; thence N03°08'18"W parallel with, and 60.00 feet west of, the east line of Northeast Quarter (NE1/4) of said Section 3 a distance of 184.82 feet; thence N86°51'42"E a distance of 120.00 feet; thence S03°08'18"E parallel with, and 60 feet east of the west line of the Northwest Quarter (NW1/4) of said Section 2 a distance of 64.74 feet; thence N41°50'30"E a distance of 2,213.21 feet; thence N49°29'24"W a distance of 172.93 feet; thence S88°32'33"W parallel with, and 50.00 feet south of, the north line of said NW1/4 of Section 2 a distance of 1,449.92 feet; thence S03°08'18"E parallel with, and 50.00 feet east of the west line of said NW1/4 of Section 2 a distance of 10.00 feet; thence S88°32'33"W parallel with, and 60.00 feet south of, the north line of said NW1/4 of Section 2 a distance of 50.02 feet to the west line of said NW1/4 of Section 2; thence N03°08'18"W on said west line a distance of 60.03 feet to the Northwest Corner of the NW1/4 of said Section 2; thence N88°32'33"E on the north line of the NW1/4 of said Section 2 a distance of 2,642.08 feet to the Northeast Corner of the NW1/4 of said Section 2; thence N88°32'44"E on the north line of the Northeast Quarter (NE1/4) of said Section 2 a distance of 2,641.85 feet to the Point of Beginning.

Blocks 1, 2, 3, 4, 5, 6, 7, 8, and 9 contain 1,068.12 acres.

BLOCK 10

That part of Section 20, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, being further described as follows:

Commencing at the Southeast Corner of the Southeast Quarter (SE1/4) of said Section 20; thence N02°46'12"W on the east line of said SE1/4 a distance of 146.46 feet to the Point of Beginning; thence N86°28'18"W a distance of 359.39 feet to the northeasterly Interstate 29 Right-of-Way line; thence N22°19'18"W on said northeasterly Right-of-Way line a distance of 2,705.93 feet; thence continuing on said northeasterly Right-of-Way line 1,372.84 feet on the arc of a non-tangential curve, concave to the southwest, having a radius of 11,659.18 feet, a central angle of 06°44'47", and a long chord length of 1,372.05 feet bearing N25°42'32"W to the southwesterly line of the Great Northern Railroad Right-of-Way; thence S29°04'57"E on said southwesterly Railroad Right-of-Way line a distance of 4,055.19 feet to the east line of the SE1/4 of said Section 20; thence S02°46'12"E on the east line of the SE1/4 of said Section 20 a distance of 217.85 feet to the Point of Beginning.

Block 10 contains 16.54 acres.

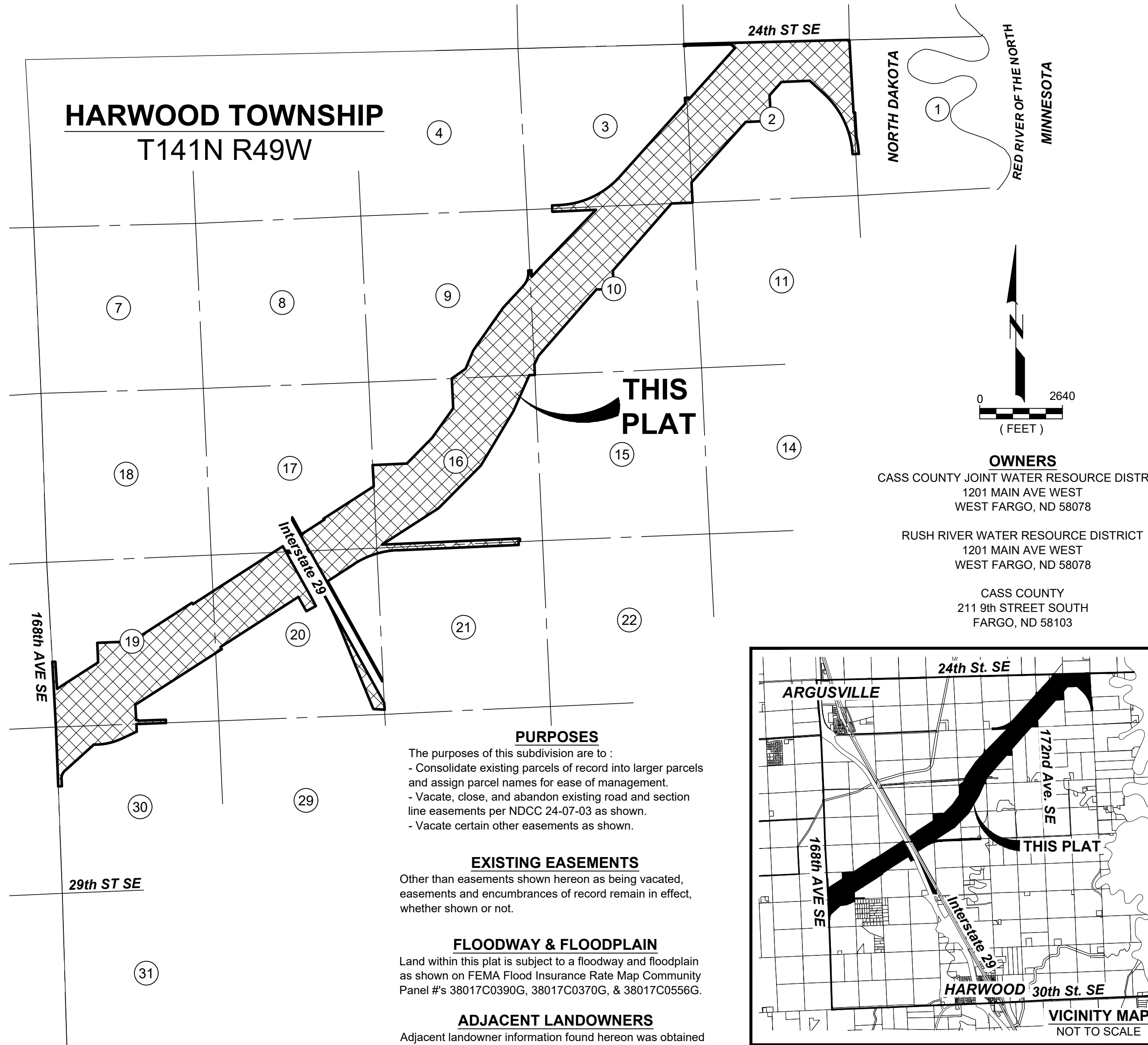
BLOCKS 11, 12, 13, AND 14

That part of Sections 17, 19, 20, and 30, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, being further described as follows:

Commencing at the Southwest Corner of the Northwest Quarter (NW1/4) of said Section 30; thence N02°09'49"W on the west line of the NW1/4 of said Section 30 a distance of 760.00 feet to the Point of Beginning; thence continuing N02°09'49"W on the west line of the NW1/4 of said Section 30 a distance of 1,895.01 feet to the Northwest Corner of NW1/4 of said Section 30; thence N03°13'20"W on the west line of the Southwest Quarter (SW1/4) of said Section 19 a distance of 2,081.82 feet; thence N86°46'40"E a distance of 100.00 feet; thence S03°13'20"E parallel with, and 100.00 feet east of, the west line of the SW1/4 of said Section 19 a distance of 868.41 feet; thence N57°13'38"E a distance of 1,562.90 feet; thence N02°20'17"W a distance of 625.00 feet to the north line of the SW1/4 of said Section 19; thence N87°39'43"E on said north line a distance of 1,105.00 feet; thence N57°13'38"E a distance of 2,275.00 feet; thence S32°46'22"E a distance of 55.00 feet; thence N57°13'38"E a distance of 3,413.89 feet to the southwesterly Interstate 29 Right-of-Way line; thence S29°04'57"E on said southwesterly Right-of-Way line a distance of 166.68 feet; thence N87°34'03"E parallel with, and 33.00 feet north of the south line of said Section 17 a distance of 447.54 feet to the southwesterly line of the Great Northern Railroad Right-of-Way; thence S29°04'57"E on said southwesterly Railroad Right-of-Way line a distance of 73.84 feet; thence S87°34'03"W parallel with, and 33.00 feet south of, the north line of said Section 20 a distance of 447.54 feet to the southwesterly Interstate 29 Right-of-Way line; thence S29°04'57"E on said southwesterly Right-of-Way line a distance of 1,643.74 feet; thence continuing on said southwesterly Right-of-Way line 291.68 feet on the arc of a non-tangential curve, concave to the west, having a radius of 11,259.20 feet, a central angle of 01°29'03", and a chord length of 291.67 feet bearing S28°20'26"E; thence S60°54'40"W a distance of 346.16 feet; thence N29°05'20"W a distance of 525.00 feet; thence S57°13'38"W a distance of 2,958.35 feet; thence S32°46'22"E a distance of 80.00 feet; thence S57°13'38"W a distance of 3,277.43 feet to the west line of the Southeast Quarter (SE1/4) of said Section 19; thence S03°06'31"E on the west line of the SE1/4 of said Section 19 a distance of 490.05 feet; thence N86°53'29"E a distance of 60.00 feet; thence S03°06'31"E parallel with, and 60.00 feet east of, the west line of the SE1/4 of said Section 19 a distance of 25.00 feet; thence N87°51'49"E parallel with, and 100.00 feet north of, the south line of the SE1/4 of said Section 19 a distance of 885.00 feet; thence S02°08'11"E a distance of 100.00 feet to said south line of the SE1/4 of Section 19; thence S87°51'49"W on said south line a distance of 943.31 feet to the South Quarter Corner of said Section 19; thence S02°27'49"E on the east line of the Northwest Quarter (NW1/4) of said Section 30 a distance of 242.50 feet; thence 27.80 feet on the arc of a non-tangential curve, concave to the southeast, having a radius of 1,900.00 feet, a central angle of 00°50'18", and a chord length of 27.80 feet bearing S65°06'48"W; thence S64°41'39"W a distance of 500.00 feet; thence 927.00 feet on the arc of a tangential curve, concave to the north, having a radius of 2,000.00 feet, a central angle of 26°33'24", and chord length of 918.73 feet bearing S77°58'21"W; thence S47°50'11"W a distance of 1,227.10 feet; thence 305.43 feet on the arc of a tangential curve, concave to the southeast, having a radius of 350.00 feet, a central angle of 50°00'00", and a chord length of 295.83 feet bearing S22°50'11"W; thence S02°09'49"E parallel with, and 115.00 feet east of, the west line of the NW1/4 of Section 30 a distance of 231.07 feet; thence S87°50'11"W a distance of 115.00 feet to the Point of Beginning.

Blocks 11, 12, 13, and 14 contain 413.59 acres.

PLAT of FMD-HARWOOD SUBDIVISION IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, TOWNSHIP 141 NORTH, RANGE 49 WEST of the 5th PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA



PURPOSES
The purposes of this subdivision are to:
- Consolidate existing parcels of record into larger parcels and assign parcel names for ease of management.
- Vacate, close, and abandon existing road and section line easements per NDCC 24-07-03 as shown.
- Vacate certain other easements as shown.

EXISTING EASEMENTS
Other than easements shown hereon as being vacated, easements and encumbrances of record remain in effect, whether shown or not.

FLOODWAY & FLOODPLAIN
Land within this plat is subject to a floodway and floodplain as shown on FEMA Flood Insurance Rate Map Community Panel #s 38017C0390G, 38017C0370G, & 38017C0556G.

ADJACENT LANDOWNERS
Adjacent landowner information found hereon was obtained from the Cass County GIS.

CERTIFICATE OF SURVEYOR
I, Steven E. Swanson, a Professional Land Surveyor in the State of North Dakota, hereby certify that this survey of FMD-Harwood Subdivision as shown hereon was conducted by me or under my direct supervision; that the exterior boundary of said subdivision is delineated on the ground by monuments shown hereon; and that, to the best of my knowledge and belief, this plat is a true and correct representation of said survey.

Dated this ___ day of ___, 2024.
Steven E. Swanson, PLS
ND Reg. No. LS-4185

STATE OF ___)
COUNTY OF ___) SS

On this ___ day of ___, 2024, before me personally appeared Steven E. Swanson, known to me to be the person described in the within instrument, and who acknowledged to me that he executed the same.

Notary Public:
State of North Dakota
My commission expires ___

CERTIFICATE OF CASS COUNTY ENGINEER

Reviewed by the Cass County Engineer this ___ day of ___, 2024.

Thomas Soucy
Interim County Engineer

CERTIFICATE OF HARWOOD TOWNSHIP

Reviewed by Harwood Township this ___ day of ___, 2024.

Daniel Palmer
Chairman
Attest: Douglas Warnecke
Clerk

CERTIFICATE OF OWNER

We, Cass County Joint Water Resource District, Rush River Water Resource District, and Cass County, political subdivisions of the State of North Dakota, hereby certify that we are the owners of the lands described above and that 1) we have caused the same to be platted into lots and blocks as shown hereon and 2) said subdivision shall be known as FMD-Harwood Subdivision.

Cass County Joint Water Resource District
Owner, Blocks 1-14

Dated this ___ day of ___, 2024.

Rodger Olson, Chairman
Melissa Hinkemeyer, Secretary-Treasurer
STATE OF ___)
COUNTY OF ___) SS

On this ___ day of ___, 2024, before me personally appeared Rodger Olson, Chairman, and Melissa Hinkemeyer, Secretary-Treasurer of Cass County Joint Water Resource District, known to me to be the persons described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public for the State of ___
My commission expires ___

Cass County

Dated this ___ day of ___, 2024.

Chad Peterson, Chairman
Cass County Board of Commissioners
Brandy Madrigga
Cass County Finance Director

STATE OF ___)
COUNTY OF ___) SS

On this ___ day of ___, 2024, before me personally appeared Chad Peterson, Chairman of the Board of County Commissioners, and Brandy Madrigga, Cass County Finance Director, known to me to be the persons described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public for the State of ___
My commission expires ___

Rush River Water Resource District

Dated this ___ day of ___, 2024.

William Hejl, Chairman
Melissa Hinkemeyer, Secretary-Treasurer

STATE OF ___)
COUNTY OF ___) SS

On this ___ day of ___, 2024, before me personally appeared William Hejl, Chairman and Melissa Hinkemeyer, Secretary-Treasurer of the Rush River Water Resource District, known to me to be the person described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public for the State of ___
My commission expires ___

CERTIFICATE OF CASS COUNTY PLANNING COMMISSION

The Cass County Planning Commission has reviewed this plat and hereby approves it.

Dated this ___ day of ___, 2024.

Ken Lougheed
Chairman
Lisa Shasky
Secretary

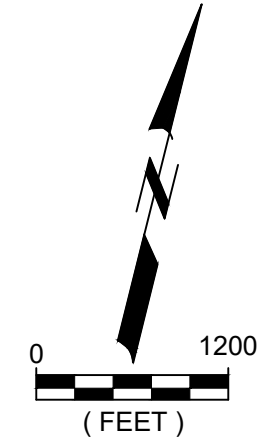
CERTIFICATE OF CASS COUNTY COMMISSIONERS

The Cass County Board of County Commissioners reviewed this plat at its meeting on the ___ day of ___, 2024, and, having found it to be in the interest of the public health, safety, and welfare, hereby approves it.

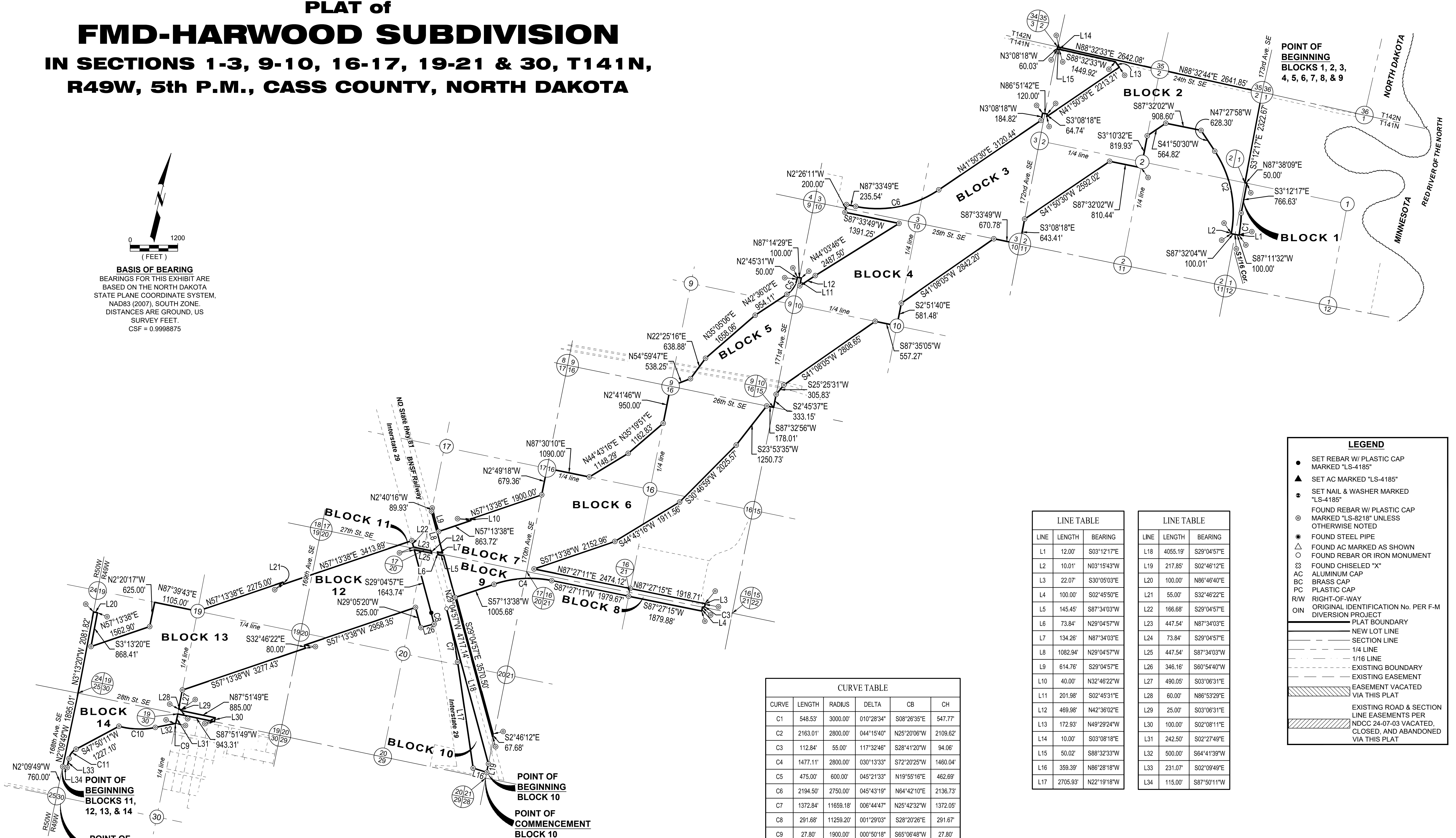
Chad Peterson, Chairman
Cass County Board of Commissioners
Attest: Brandy Madrigga
Cass County Finance Director



PLAT of
FMD-HARWOOD SUBDIVISION
IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, T141N,
R49W, 5th P.M., CASS COUNTY, NORTH DAKOTA



BASIS OF BEARING
 BEARINGS FOR THIS EXHIBIT ARE
 BASED ON THE NORTH DAKOTA
 STATE PLANE COORDINATE SYSTEM,
 NAD83 (2007), SOUTH ZONE.
 DISTANCES ARE GROUND, US
 SURVEY FEET.
 CSF = 0.9998875



POINT OF BEGINNING
BLOCKS 1, 2, 3,
4, 5, 6, 7, 8, & 9

POINT OF BEGINNING
BLOCK 10
POINT OF COMMENCEMENT
BLOCK 10

POINT OF COMMENCEMENT
BLOCKS 11, 12,
13, & 14

LEGEND

- SET REBAR W/ PLASTIC CAP MARKED "LS-4185"
- ▲ SET AC MARKED "LS-4185"
- SET NAIL & WASHER MARKED "LS-4185"
- FOUND REBAR W/ PLASTIC CAP MARKED "LS-8218" UNLESS OTHERWISE NOTED
- FOUND STEEL PIPE
- △ FOUND AC MARKED AS SHOWN
- FOUND REBAR OR IRON MONUMENT
- ⊗ FOUND CHISELED "X"
- AC ALUMINUM CAP
- BC BRASS CAP
- PC PLASTIC CAP
- R/W RIGHT-OF-WAY
- OIN ORIGINAL IDENTIFICATION No. PER F-M DIVERSION PROJECT

PLAT BOUNDARY
 NEW LOT LINE
 SECTION LINE
 1/4 LINE
 1/16 LINE
 EXISTING BOUNDARY
 EXISTING EASEMENT
 EASEMENT VACATED VIA THIS PLAT
 EXISTING ROAD & SECTION LINE EASEMENTS PER NDCC 24-07-03 VACATED, CLOSED, AND ABANDONED VIA THIS PLAT

LINE TABLE

LINE	LENGTH	BEARING
L1	12.00'	S03°12'17"E
L2	10.01'	N03°15'43"W
L3	22.07'	S30°05'03"E
L4	100.00'	S02°45'50"E
L5	145.45'	S87°34'03"W
L6	73.84'	N29°04'57"W
L7	134.26'	N87°34'03"E
L8	1082.94'	N29°04'57"W
L9	614.76'	S29°04'57"E
L10	40.00'	N32°46'22"W
L11	201.98'	S02°45'31"E
L12	469.98'	N42°36'02"E
L13	172.93'	N49°29'24"W
L14	10.00'	S03°08'18"E
L15	50.02'	S88°32'33"W
L16	359.39'	N86°28'18"W
L17	2705.93'	N22°19'18"W

LINE TABLE

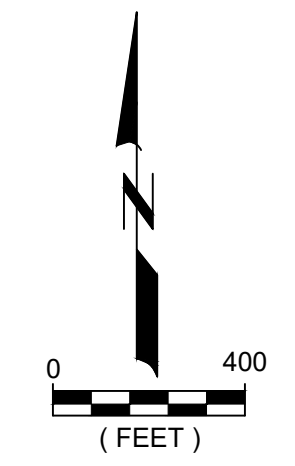
LINE	LENGTH	BEARING
L18	4055.19'	S29°04'57"E
L19	217.85'	S02°46'12"E
L20	100.00'	N86°46'40"E
L21	55.00'	S32°46'22"E
L22	166.68'	S29°04'57"E
L23	447.54'	N87°34'03"E
L24	73.84'	S29°04'57"E
L25	447.54'	S87°34'03"W
L26	346.16'	S60°54'40"W
L27	490.05'	S03°06'31"E
L28	60.00'	N86°53'29"E
L29	25.00'	S03°06'31"E
L30	100.00'	S02°08'11"E
L31	242.50'	S02°27'49"E
L32	500.00'	S64°41'39"W
L33	231.07'	S02°09'49"E
L34	115.00'	S87°50'11"W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CB	CH
C1	548.53'	3000.00'	010°28'34"	S08°26'35"E	547.77'
C2	2163.01'	2800.00'	044°15'40"	N25°20'06"W	2109.62'
C3	112.84'	55.00'	117°32'46"	S28°41'20"W	94.06'
C4	1477.11'	2800.00'	030°13'33"	S72°20'25"W	1460.04'
C5	475.00'	600.00'	045°21'33"	N19°55'16"E	462.69'
C6	2194.50'	2750.00'	045°43'19"	N64°42'10"E	2136.73'
C7	1372.84'	11659.18'	006°44'47"	N25°42'32"W	1372.05'
C8	291.68'	11259.20'	001°29'03"	S28°20'26"E	291.67'
C9	27.80'	1900.00'	000°50'18"	S65°06'48"W	27.80'
C10	927.00'	2000.00'	026°33'24"	S77°58'21"W	918.73'
C11	305.43'	350.00'	050°00'00"	S22°50'11"W	295.83'

PLAT of FMD-HARWOOD SUBDIVISION

IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., CASS COUNTY, NORTH DAKOTA



EXISTING EASEMENTS

In addition to easements shown hereon, this subdivision is subject to the following easements:

Beneficiary	Doc. No.	Location
Cass Rural Water Users	688465	NE1/4NE1/4 Sec. 2
Minnkota Power Coop	525162	E1/2E1/2
Northern Natural Gas Co.	440702	S1/2SW1/4 Sec. 3
	439212	NE1/4, NW1/4 Sec. 10
	439051	NE1/4, NW1/4 Sec. 10

LEGEND

- SET REBAR W/ PLASTIC CAP MARKED "LS-4185"
- ▲ SET AC MARKED "LS-4185"
- SET NAIL & WASHER MARKED "LS-4185"
- ⊙ FOUND REBAR W/ PLASTIC CAP MARKED "LS-8218" UNLESS OTHERWISE NOTED
- FOUND STEEL PIPE
- △ FOUND AC MARKED AS SHOWN
- FOUND REBAR OR IRON MONUMENT
- ⊗ FOUND CHISELED "X"
- AC ALUMINUM CAP
- BC BRASS CAP
- PC PLASTIC CAP
- R/W RIGHT-OF-WAY
- OIN ORIGINAL IDENTIFICATION No. PER F-M DIVERSION PROJECT

PLAT BOUNDARY

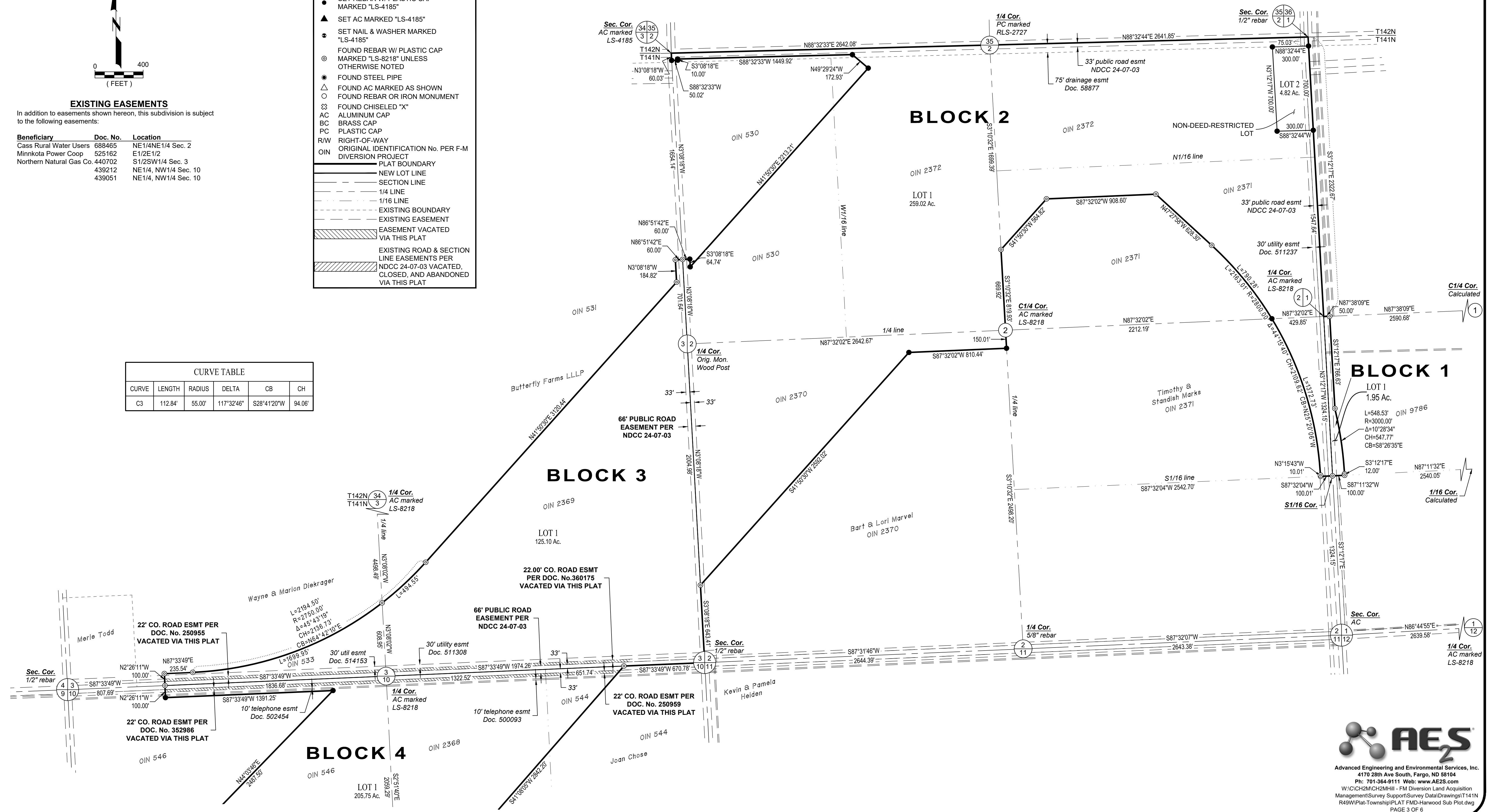
- NEW LOT LINE
- SECTION LINE
- 1/4 LINE
- 1/16 LINE

EXISTING BOUNDARY

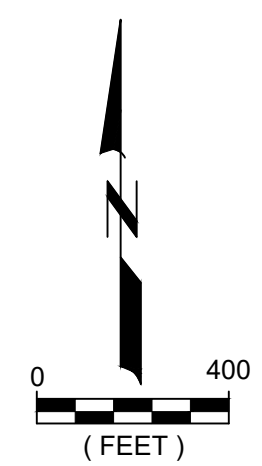
- EXISTING EASEMENT
- ▨ EASEMENT VACATED VIA THIS PLAT

EXISTING ROAD & SECTION LINE EASEMENTS PER NDCC 24-07-03 VACATED, CLOSED, AND ABANDONED VIA THIS PLAT

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CB	CH
C3	112.84'	55.00'	117°32'46"	S28°41'20"W	94.06'



PLAT of FMD-HARWOOD SUBDIVISION IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., CASS COUNTY, NORTH DAKOTA



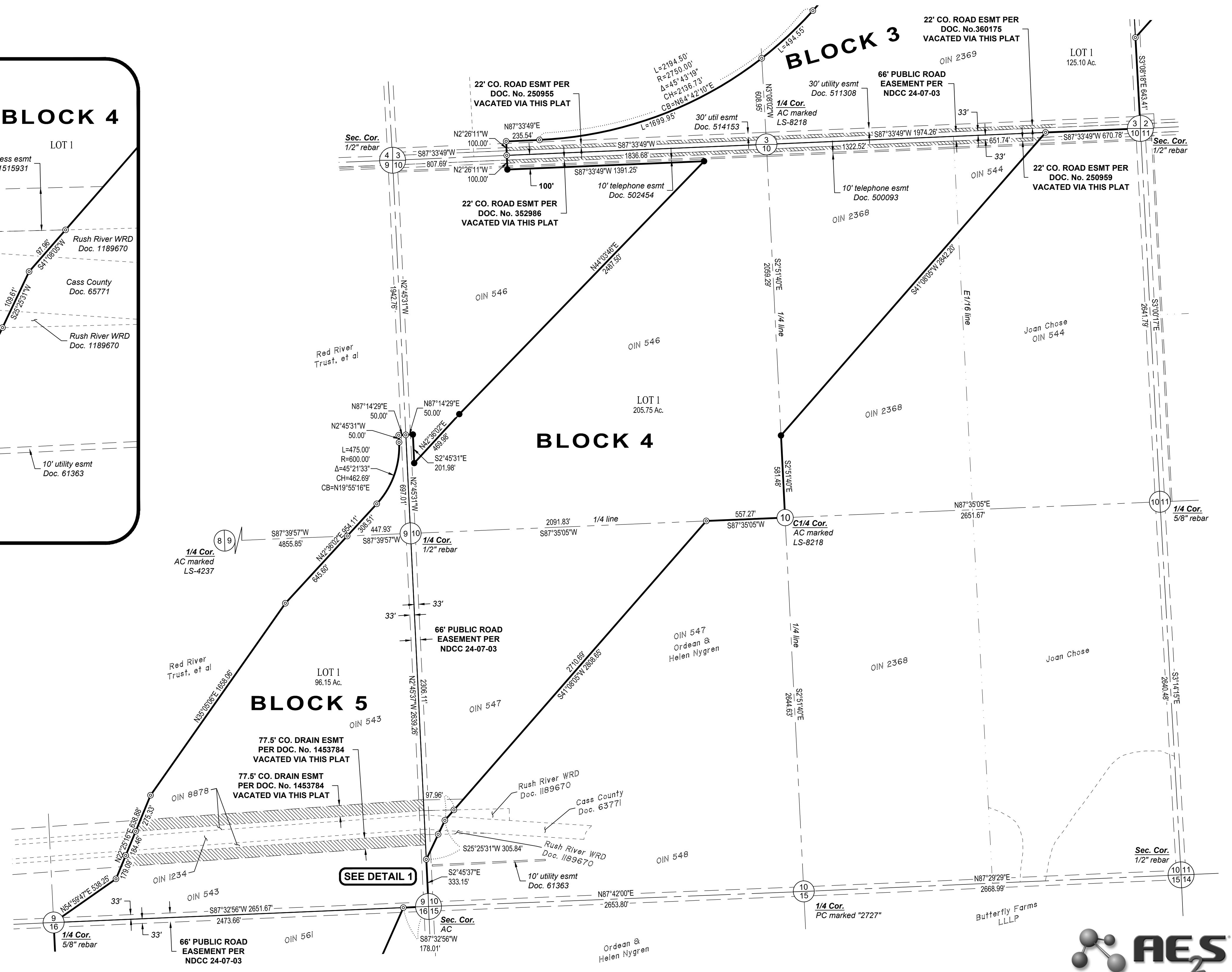
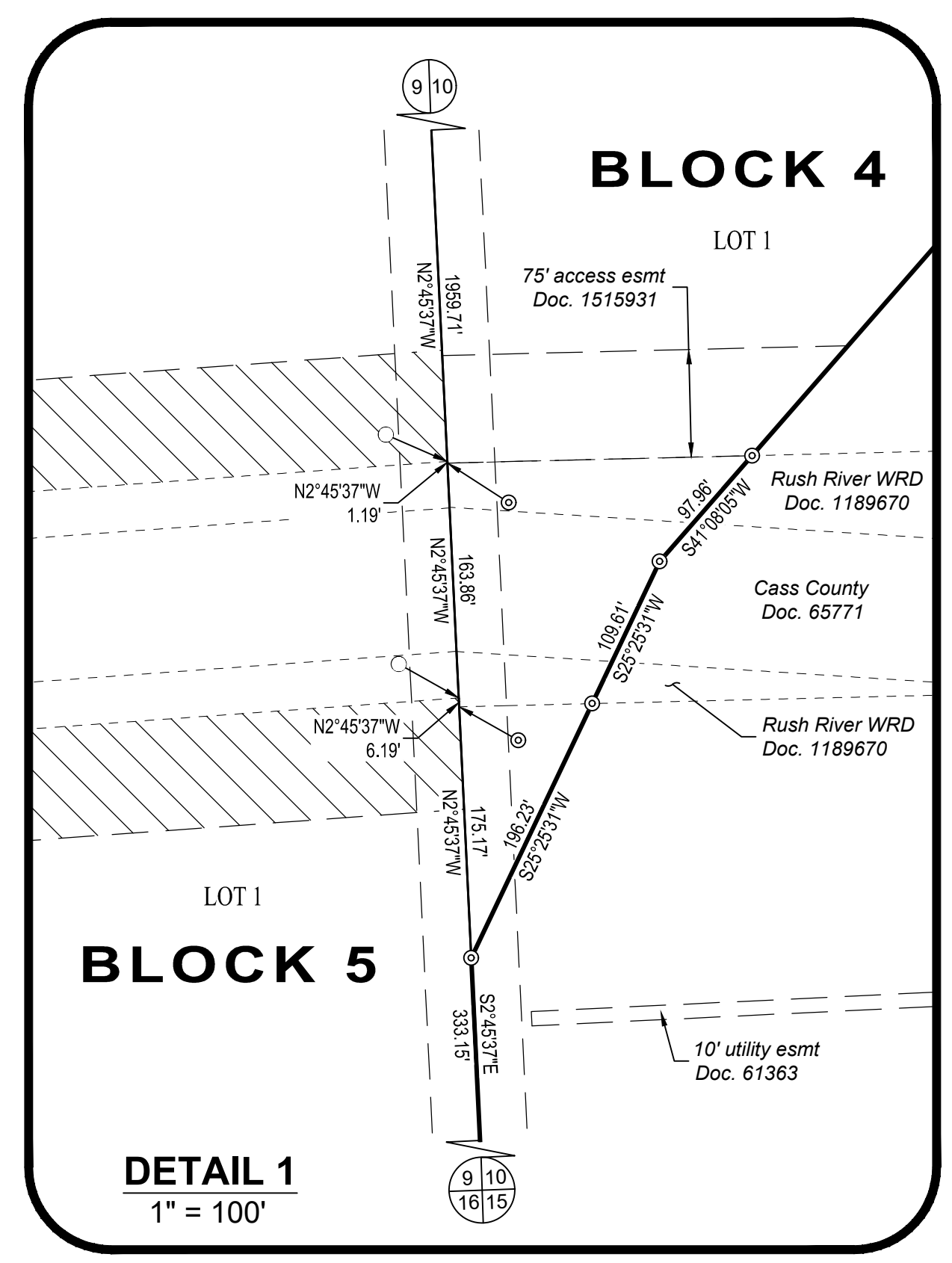
EXISTING EASEMENTS

In addition to easements shown hereon, this subdivision is subject to the following easements:

Beneficiary	Doc. No.	Location
Northern Natural Gas Co.	439212	NE1/4, NW1/4 Sec. 10
	439051	NE1/4, NW1/4 Sec. 10
Minnkota Power Coop	526246	E1/2E1/2 Sec. 9

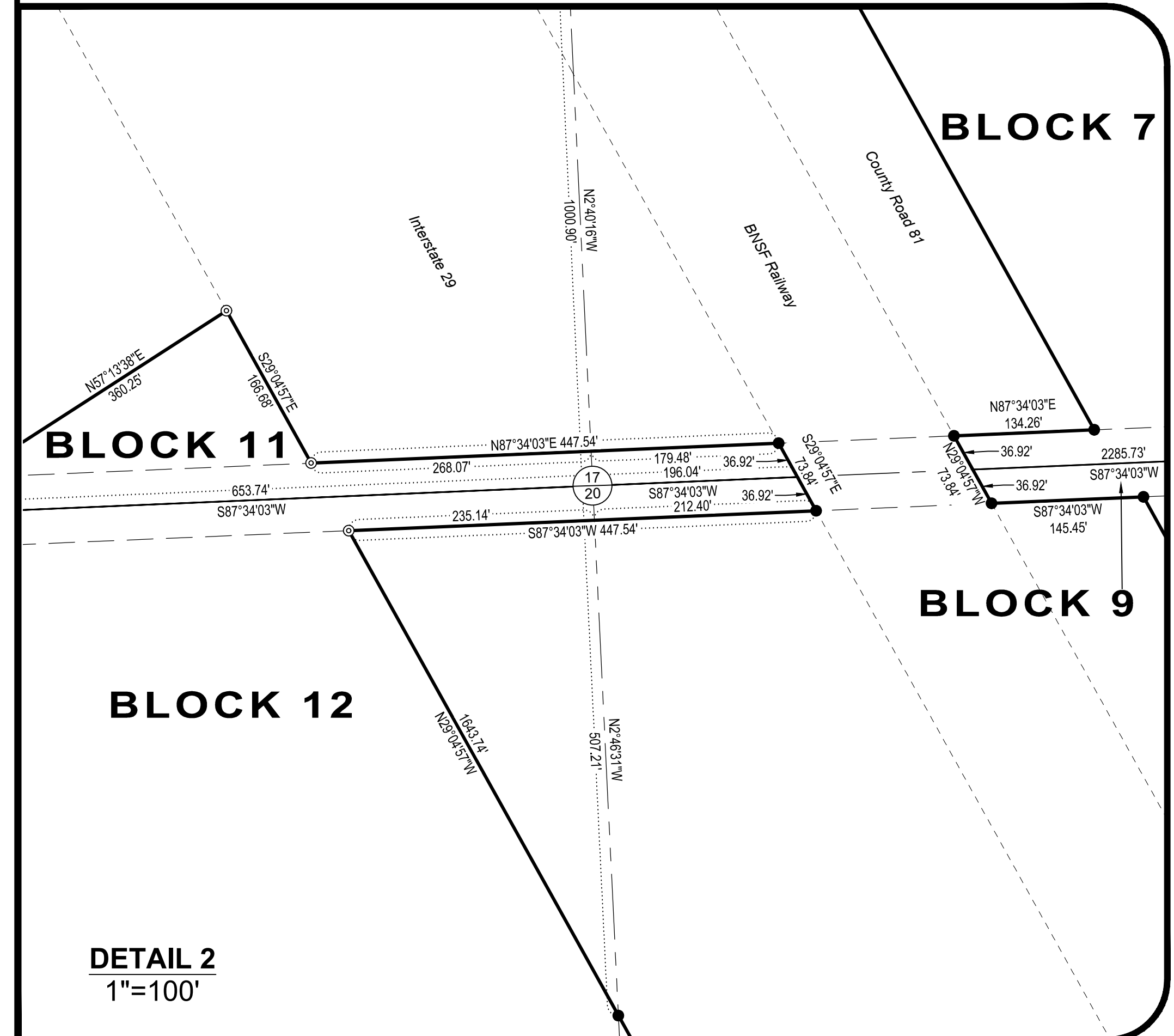
LEGEND

- SET REBAR W/ PLASTIC CAP MARKED "LS-4185"
- ▲ SET AC MARKED "LS-4185"
- SET NAIL & WASHER MARKED "LS-4185"
- FOUND REBAR W/ PLASTIC CAP MARKED "LS-8218" UNLESS OTHERWISE NOTED
- FOUND STEEL PIPE
- △ FOUND AC MARKED AS SHOWN
- FOUND REBAR OR IRON MONUMENT
- ⊗ FOUND CHISELED "X"
- AC ALUMINUM CAP
- BC BRASS CAP
- PC PLASTIC CAP
- R/W RIGHT-OF-WAY
- OIN ORIGINAL IDENTIFICATION No. PER F-M DIVERSION PROJECT
- PLAT BOUNDARY
- NEW LOT LINE
- SECTION LINE
- - - 1/4 LINE
- - - 1/16 LINE
- - - EXISTING BOUNDARY
- - - EXISTING EASEMENT
- ▨ EASEMENT VACATED VIA THIS PLAT
- ▨ EXISTING ROAD & SECTION LINE EASEMENTS PER NDCC 24-07-03 VACATED, CLOSED, AND ABANDONED VIA THIS PLAT



PLAT of FMD-HARWOOD SUBDIVISION

IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., CASS COUNTY, NORTH DAKOTA



LEGEND

- SET REBAR W/ PLASTIC CAP MARKED "LS-4185"
- ▲ SET AC MARKED "LS-4185"
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- R/W RIGHT-OF-WAY
- OIN ORIGINAL IDENTIFICATION No. PER F-M DIVERSION PROJECT

_____ PLAT BOUNDARY
 _____ NEW LOT LINE
 _____ SECTION LINE
 _____ 1/4 LINE
 _____ 1/16 LINE
 _____ EXISTING BOUNDARY
 _____ EXISTING EASEMENT
 _____ EASEMENT VACATED VIA THIS PLAT
 _____ EXISTING ROAD & SECTION LINE EASEMENTS PER NDCC 24-07-03 VACATED, CLOSED, AND ABANDONED VIA THIS PLAT

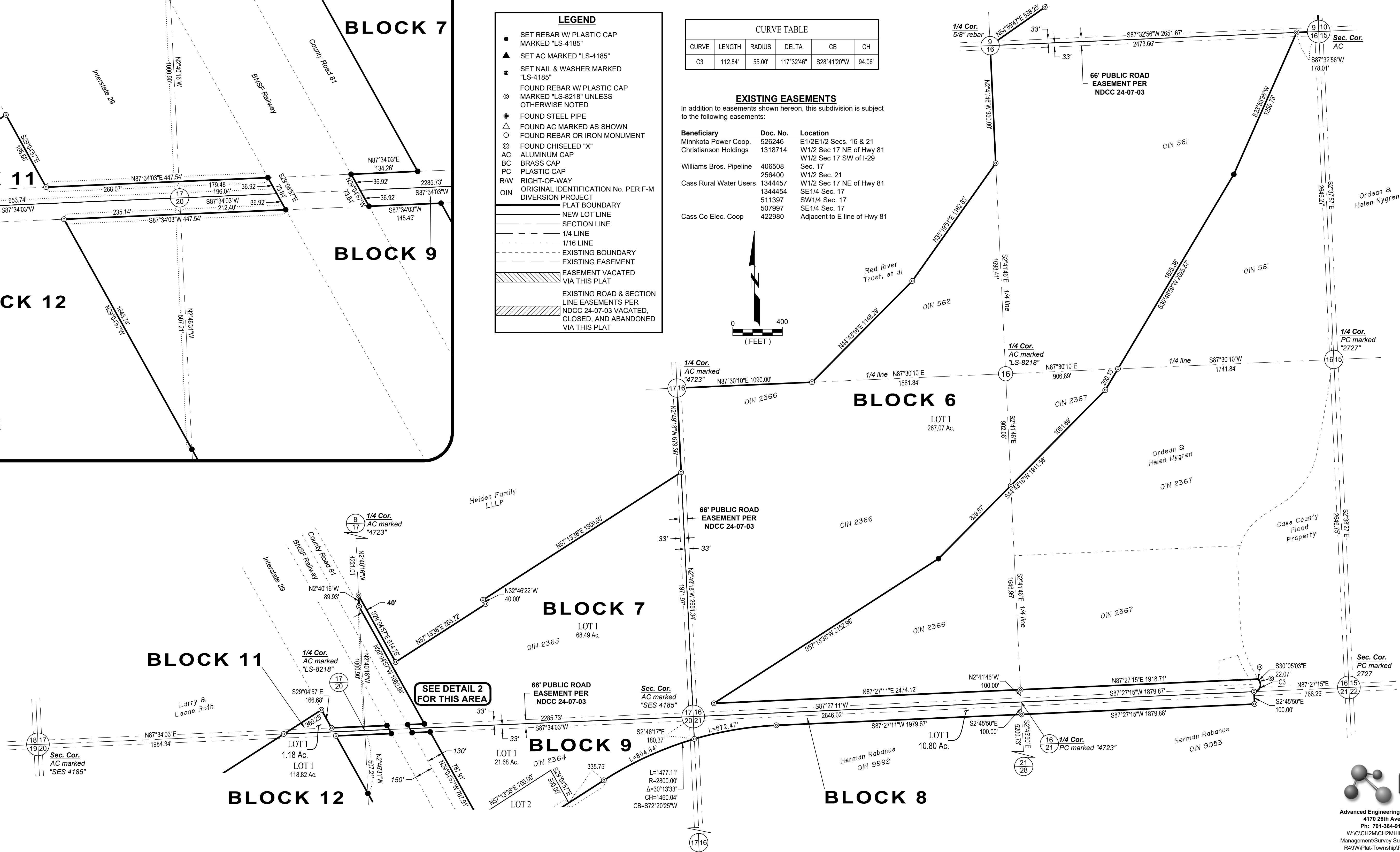
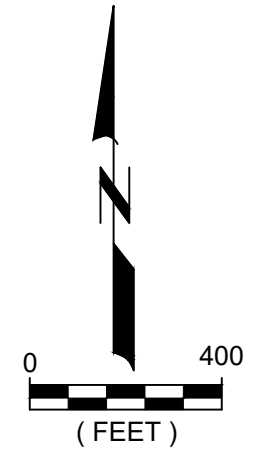
CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CB	CH
C3	112.84'	55.00'	117°32'48"	S28°41'20"W	94.06'

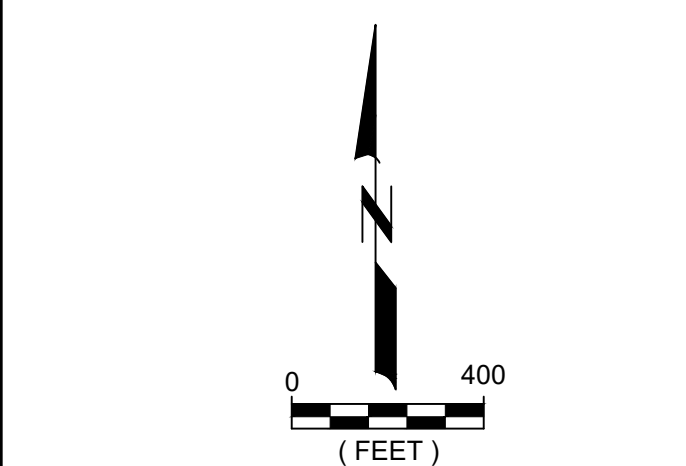
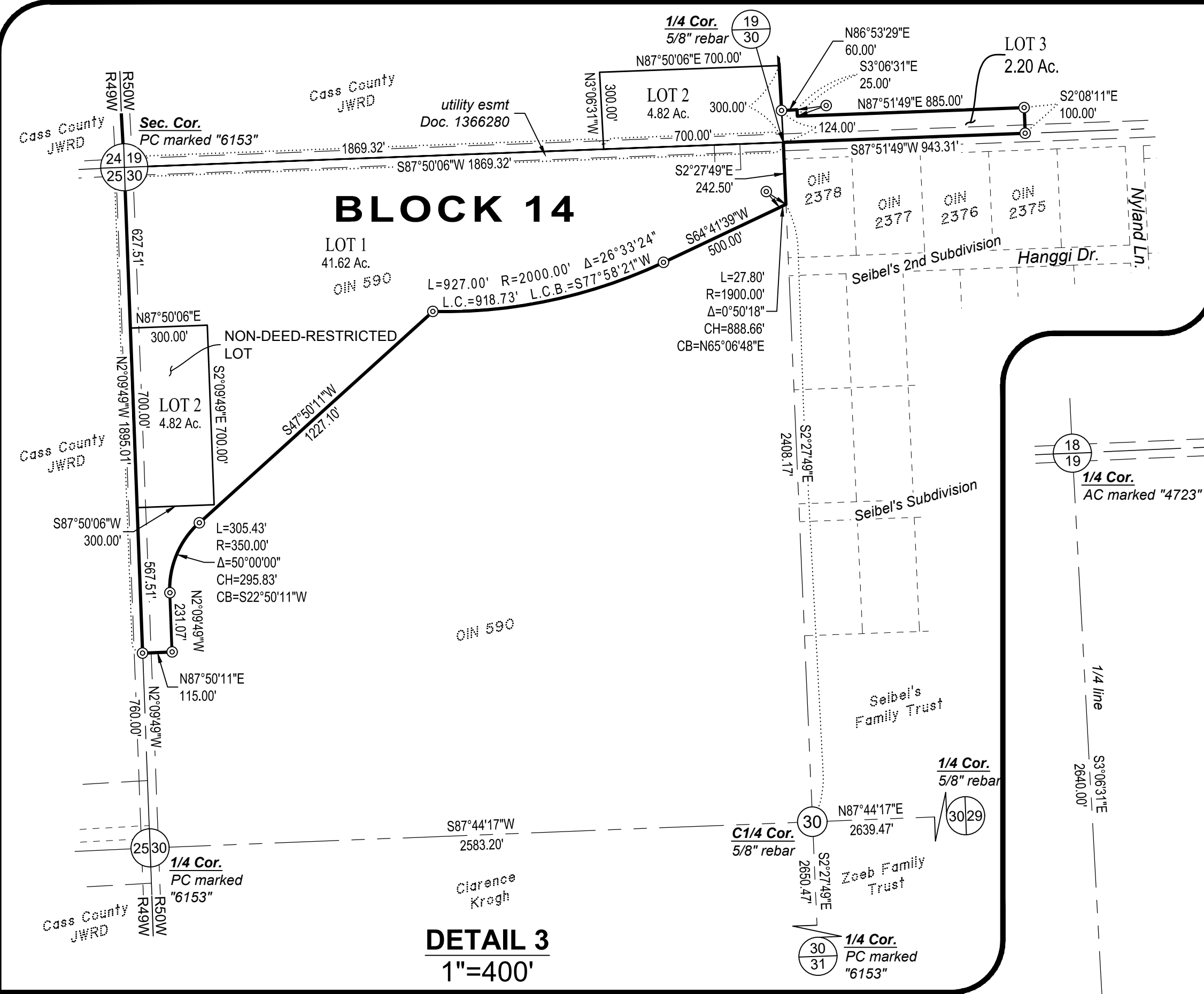
EXISTING EASEMENTS

In addition to easements shown hereon, this subdivision is subject to the following easements:

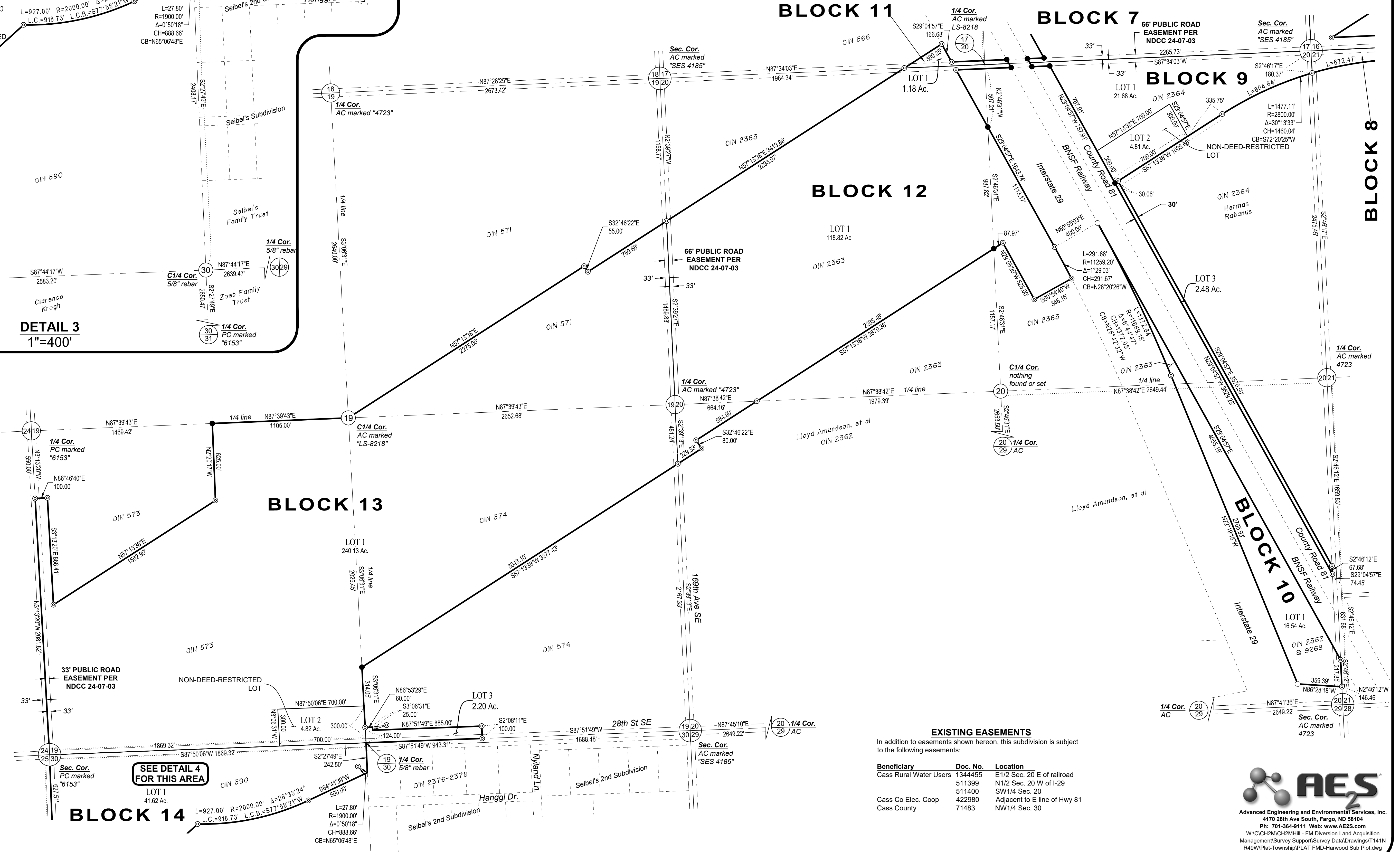
Beneficiary	Doc. No.	Location
Minnesota Power Coop.	526246	E1/2E1/2 Secs. 16 & 21
Christianson Holdings	1318714	W1/2 Sec 17 NE of Hwy 81
Williams Bros. Pipeline	406508	W1/2 Sec 17 SW of I-29
Cass Rural Water Users	256400	Sec. 17
	1344457	W1/2 Sec. 21
	1344454	W1/2 Sec 17 NE of Hwy 81
	511397	SE1/4 Sec. 17
	507997	SW1/4 Sec. 17
	422980	SE1/4 Sec. 17
Cass Co Elec. Coop		Adjacent to E line of Hwy 81



PLAT of FMD-HARWOOD SUBDIVISION IN SECTIONS 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., CASS COUNTY, NORTH DAKOTA



- LEGEND**
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 - - - EASEMENT VACATED VIA THIS PLAT
 - - - EXISTING ROAD & SECTION LINE EASEMENTS PER NDCC 24-07-03 VACATED, CLOSED, AND ABANDONED VIA THIS PLAT



EXISTING EASEMENTS
In addition to easements shown hereon, this subdivision is subject to the following easements:

Beneficiary	Doc. No.	Location
Cass Rural Water Users	1344455	E1/2 Sec. 20 E of railroad
	511399	N1/2 Sec. 20 W of I-29
	511400	SW1/4 Sec. 20
Cass Co Elec. Coop	422980	Adjacent to E line of Hwy 81
Cass County	71483	NW1/4 Sec. 30

AES
Advanced Engineering and Environmental Services, Inc.
4170 28th Ave South, Fargo, ND 58104
Ph: 701-364-9111 Web: www.aes3.com
W:\CH2M\CH2M\Hill - FM Diversion Land Acquisition Management\Survey Support\Survey Data\Drawings\T141N R49W\Plat-Township\PLAT FMD-Harwood Sub Plot.dwg
PAGE 6 OF 6



Cass County Planning Commission Staff Report

Entitlements Requested:	Minor Subdivision (3 Lot) of a part of Township 141 North, Range 50 West		
Title:	FMD-Berlin Subdivision	Date:	02/22/24
Location:	Township 141 North, Range 50 West (Berlin Township)	Staff Contact:	Cole Hansen
Parcel Number:		Water District:	Rush River Water District
Owner(s)/Applicant:	Cass County Water Resource District	Engineer/Surveyor:	AE2S
Status:	Planning Commission Hearing: March 28, 2024		

Existing Land Use	Proposed Land Use
Agricultural	Agricultural
Proposal	

The applicant is seeking approval of a minor subdivision entitled **FMD-Berlin Subdivision** to plat a three (3) Lot subdivision of approximately 594 acres. According to the applicant, the subdivision is requested to plat the diversion channel.

The proposed ownership and maintenance responsibility of the subdivision will be public

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/T-Mobile/Congent	No comments were received prior to publishing the staff report.
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	No comments were received prior to publishing the staff report.

North Dakota Department of Transportation	No comment.
County Sanitarian	No issues.
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, south, and east sides of the lot.

Floodzone
 Plat is for diversion channel and as such is a facility that is designed to flood and direct flood waters during a flood event.

Land Development Rights
 The subject quarter-quarter section currently is developed and requires the transfer of a development right. Section 5.04 (e) 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.

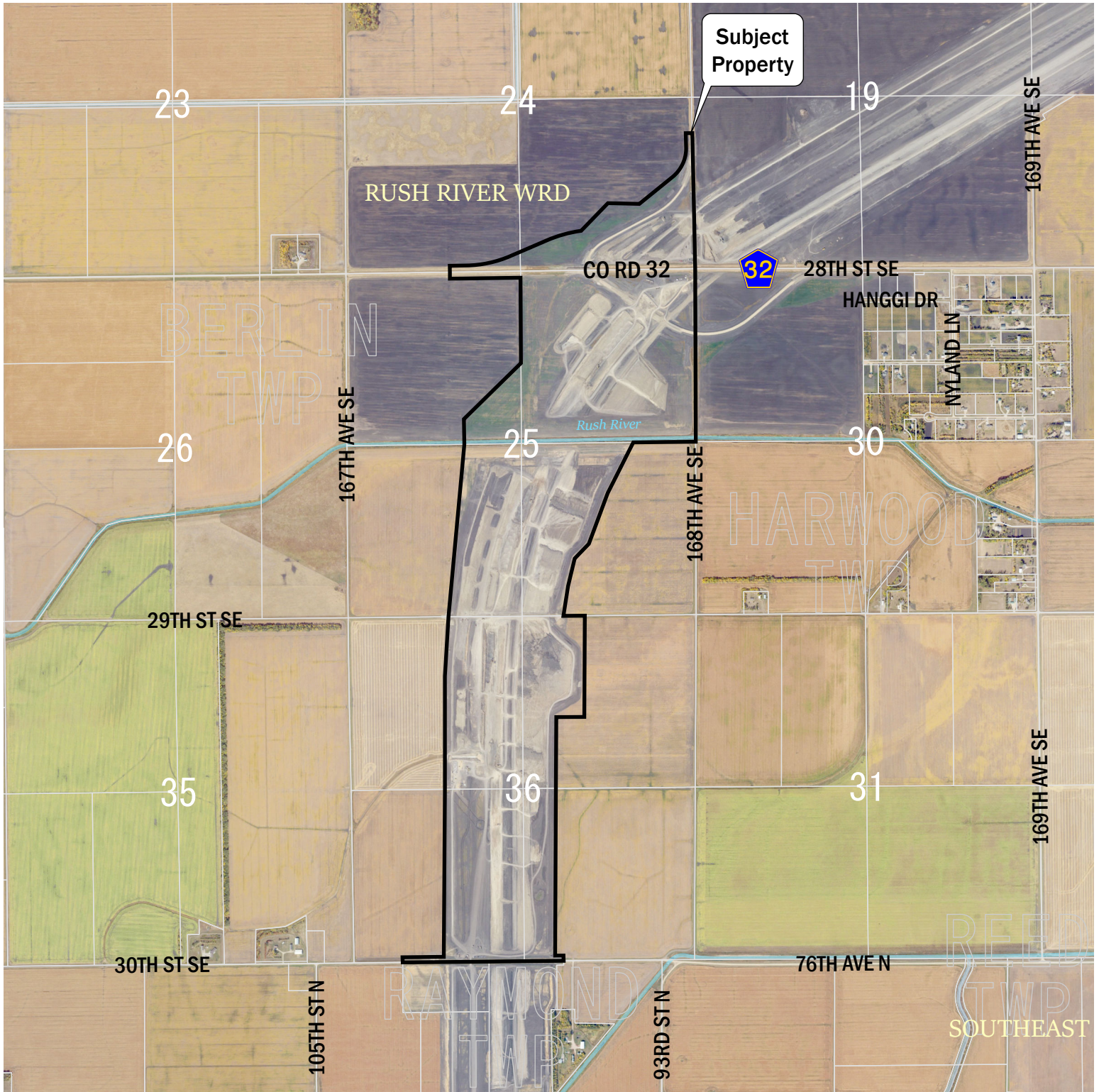
Attachments

1. Location Map
2. Plat Document
3. Variance Application

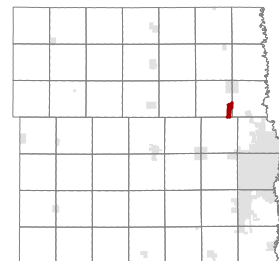
Minor Subdivision

FMD-Berlin Subdivision

Section 24, 25, 36, Berlin Township
Township 141 North - Range 50 West



Cass County Planning Commission
March 28, 2024



Imagery: NAIP, summer/fall 2023

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 FMD-BERLIN SUBDIVISION IN SECTIONS 24, 25, and 36, T141N, R50W, 5th P.M., CASS COUNTY, NORTH DAKOTA

DESCRIPTION OF PLAT BOUNDARY

That part of Sections 24, 25, and 36, T141N, R50W, 5th PM, Cass County, North Dakota, further described as follows:

Beginning at the northeast corner of said Section 25, T141N, R50W; thence S02°09'49"E on the east line of the NE1/4 of said Section 25 a distance of 2655.01 feet to the southeast corner of the NE1/4 of said Section 25; thence S87°19'44"W on the south line of the NE1/4 of said Section 25 a distance of 957.80 feet; thence S24°46'14"W a distance of 674.09 feet; thence S18°23'27"W a distance of 828.66 feet; thence S41°48'16"W a distance of 311.96 feet; thence S11°51'18"W a distance of 435.61 feet; thence S06°46'10"W a distance of 461.84 feet to the south line of said Section 25; thence N87°28'55"E on the south line of said Section 25 a distance of 330.00 feet; thence S01°42'50"E parallel with the east line of the NE1/4 of said Section 36 a distance of 1554.65 feet; thence S87°26'49"W parallel with the south line of the NE1/4 of said Section 36 a distance of 431.70 feet; thence S01°42'50"E parallel with the east line of said Section 36 a distance of 3661.33 feet; thence N87°25'03"E parallel with the south line of said Section 36 a distance of 130.00 feet; thence S02°34'57"E a distance of 80.00 feet to the south line of said Section 36; thence S87°25'03"W on the south line of said Section 36 a distance of 2470.80 feet; thence N02°34'57"W to the south line of said Section 36 a distance of 80.00 feet; thence N87°25'03"E parallel with the south line of said Section 36 a distance of 631.39 feet; thence N01°35'39"W a distance of 2569.26 feet to the north line of the SW1/4 of said Section 36; thence N01°58'50"W a distance of 1735.47 feet; thence N01°19'00"E a distance of 915.38 feet to the north line of the NW1/4 of said Section 36; thence N03°14'50"E a distance of 2658.36 feet to the north line of the SW1/4 of said Section 25; thence N02°40'16"W a distance of 388.69 feet; thence N43°31'50"E a distance of 1226.36 feet to the east line of the NW1/4 of said Section 25; thence N02°15'41"W on the east line of the NW1/4 of said Section 25 a distance of 1310.02 feet; thence S87°10'14"W parallel with the north line of the NW1/4 of said Section 25 a distance of 1085.04 feet; thence N02°49'46"W a distance of 100.00 feet to the north line of the NW1/4 of said Section 25; thence continuing N02°49'46"W a distance of 100.00 feet; thence N87°10'14"E parallel with the south line of the SW1/4 of said Section 24 a distance of 254.37 feet; thence 696.21 feet on the arc of a tangential curve, concave to the north, having a radius of 1775.00 feet, a central angle of 22°28'24", and long chord length of 691.76 feet bearing N75°56'02"E; thence N64°41'50"E a distance of 613.14 feet; thence 544.78 feet on the arc of a non-tangential curve, concave to the south, having a radius of 2017.05 feet, a central angle of 15°28'30", and a long chord length of 543.13 feet bearing N72°28'58"E; thence N42°03'02"E a distance of 590.18 feet; thence N89°15'10"E a distance of 483.58 feet; thence N48°57'48"E a distance of 654.34 feet; thence 514.61 feet on the arc of a tangential curve, concave to the northwest, having a radius of 565.00 feet, a central angle of 52°11'07", and a long chord length of 497.00 feet bearing N22°52'14"E; thence N03°13'20"W parallel with the east line of the SE1/4 of said Section 24 a distance of 221.06 feet; thence N86°46'40"E a distance of 100.00 feet to the east line of the SE1/4 of said Section 24; thence S03°13'20"E on the east line of the SE1/4 of said Section 24 a distance 2081.82 feet to the Point of Beginning.

Said Plat contains 593.98 acres and is subject to any existing easements.

CERTIFICATE OF OWNERS

We, Cass County Joint Water Resource District, Rush River Water Resource District, and Cass County, all political subdivisions of the State of North Dakota, hereby certify that we are the owners of the above described lands. We further certify that 1) we have caused the same to be platted into lots and blocks as shown hereon; 2) said subdivision shall be known as FMD-Berlin Subdivision; 3) we hereby dedicate to the public the public highway and easements shown hereon and 4) we hereby vacate, close, and abandon the road and section line easements created by NDCC 24-07-03 as shown hereon.

Furthermore, in accordance with NDCC 40-50.1-05, we, Rush River Water Resource District and Cass County, hereby grant unto Cass County Joint Water Resource District all of our right, title, and interest in all lands, easements, and rights-of-way within this plat, and we, Cass County Joint Water Resource District hereby accept all such grants.

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Rodger Olson, Chairman
Melissa Hinkemeyer, Secretary/Treasurer

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

On this _____ day of _____, 2024, before me personally appeared Rodger Olson, Chairman and Melissa Hinkemeyer, Secretary/Treasurer of Cass County Joint Water Resource District, known to me to be the person described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public:
State of North Dakota
My commission expires _____

CASS COUNTY

Chad Peterson, Chairman
Cass County Board of Commissioners
Michael Montplaisir
Cass County Auditor

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

On this _____ day of _____, 2024, before me personally appeared Chad Peterson, Chairman of the Board of County Commissioners, and Michael Montplaisir, County Auditor, known to me to be the persons described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public:
State of North Dakota
My commission expires _____

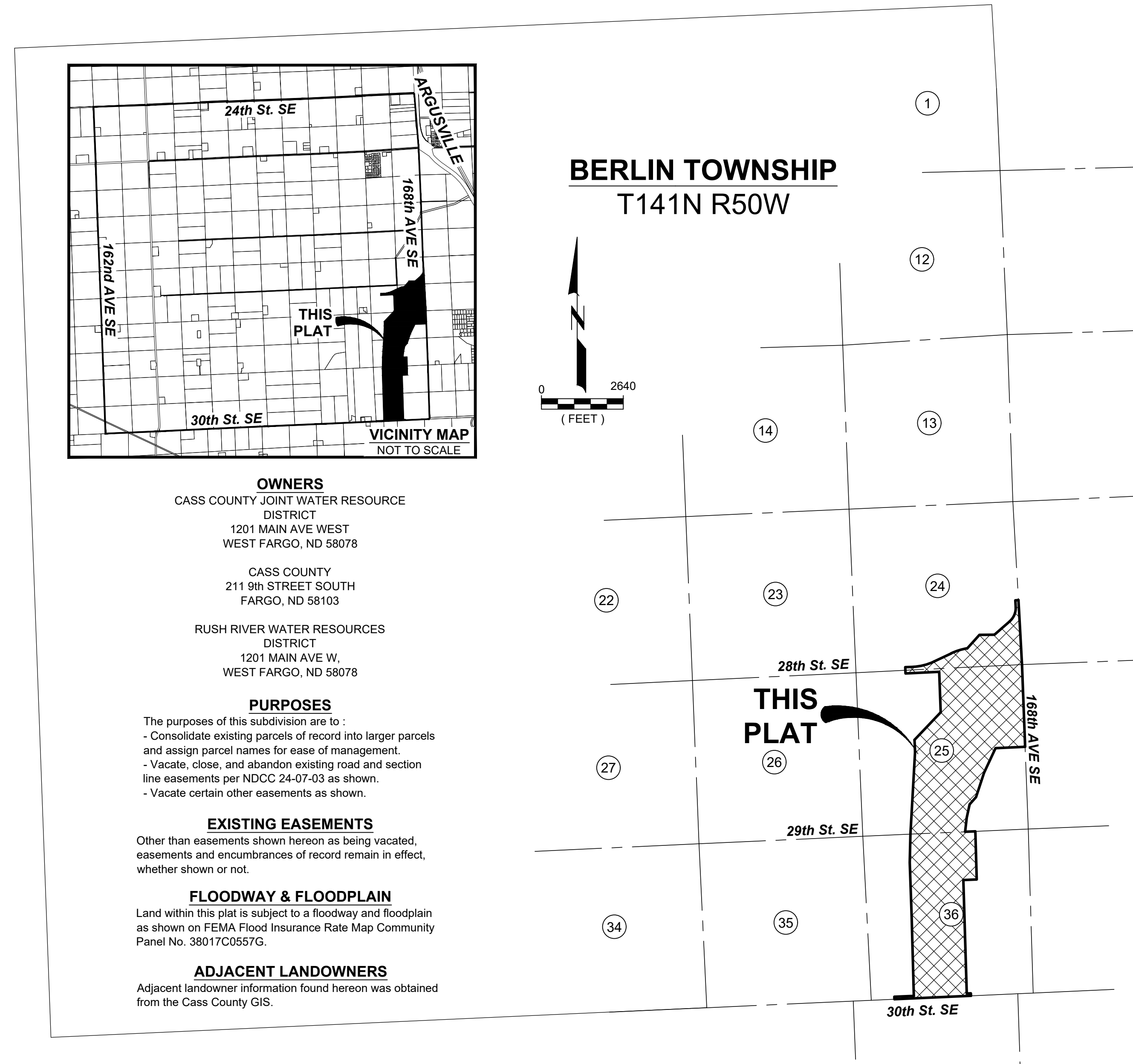
RUSH RIVER WATER RESOURCE DISTRICT

William A. Hejl, Chairman
Melissa Hinkemeyer, Secretary/Treasurer

STATE OF NORTH DAKOTA)
)SS
COUNTY OF CASS)

On this _____ day of _____, 2024, before me personally appeared William A. Hejl, Chairman and Melissa Hinkemeyer, Secretary/Treasurer of the Rush River Water Resource District, known to me to be the person described in the within instrument, and who acknowledged to me that they executed the same.

Notary Public:
State of North Dakota
My commission expires _____



CERTIFICATE OF SURVEYOR

I, Steven E. Swanson, a Professional Land Surveyor in the State of North Dakota, hereby certify that this survey of FMD-Berlin Subdivision as shown hereon was conducted by me or under my direct supervision; that the exterior boundary of said subdivision is delineated on the ground by monuments shown hereon; and that, to the best of my knowledge and belief, this plat is a true and correct representation of said survey.

Dated this _____ day of _____, 2024.

Steven E. Swanson, PLS
ND Reg. No. LS-4185

STATE OF NORTH DAKOTA)
)SS
COUNTY OF GRAND FORKS)

On this _____ day of _____, 2024, before me personally appeared Steven E. Swanson, known to me to be the person described in the within instrument, and who acknowledged to me that he executed the same.

Notary Public:
State of North Dakota
My commission expires _____

CERTIFICATE OF CASS COUNTY ENGINEER

Reviewed by the Cass County Engineer this _____ day of _____, 2024.

Thomas Soucy
Interim County Engineer

CERTIFICATE OF BERLIN TOWNSHIP

Reviewed by Berlin Township this _____ day of _____, 2024.

Karl Langseth, Chairman
Attest: Scott Verwest, Clerk/Treasurer

CERTIFICATE OF CASS COUNTY PLANNING COMMISSION

The Cass County Planning Commission has reviewed this plat and hereby approves it.

Dated this _____ day of _____, 2024.

Ken Lougheed, Chairman
Attest: Secretary

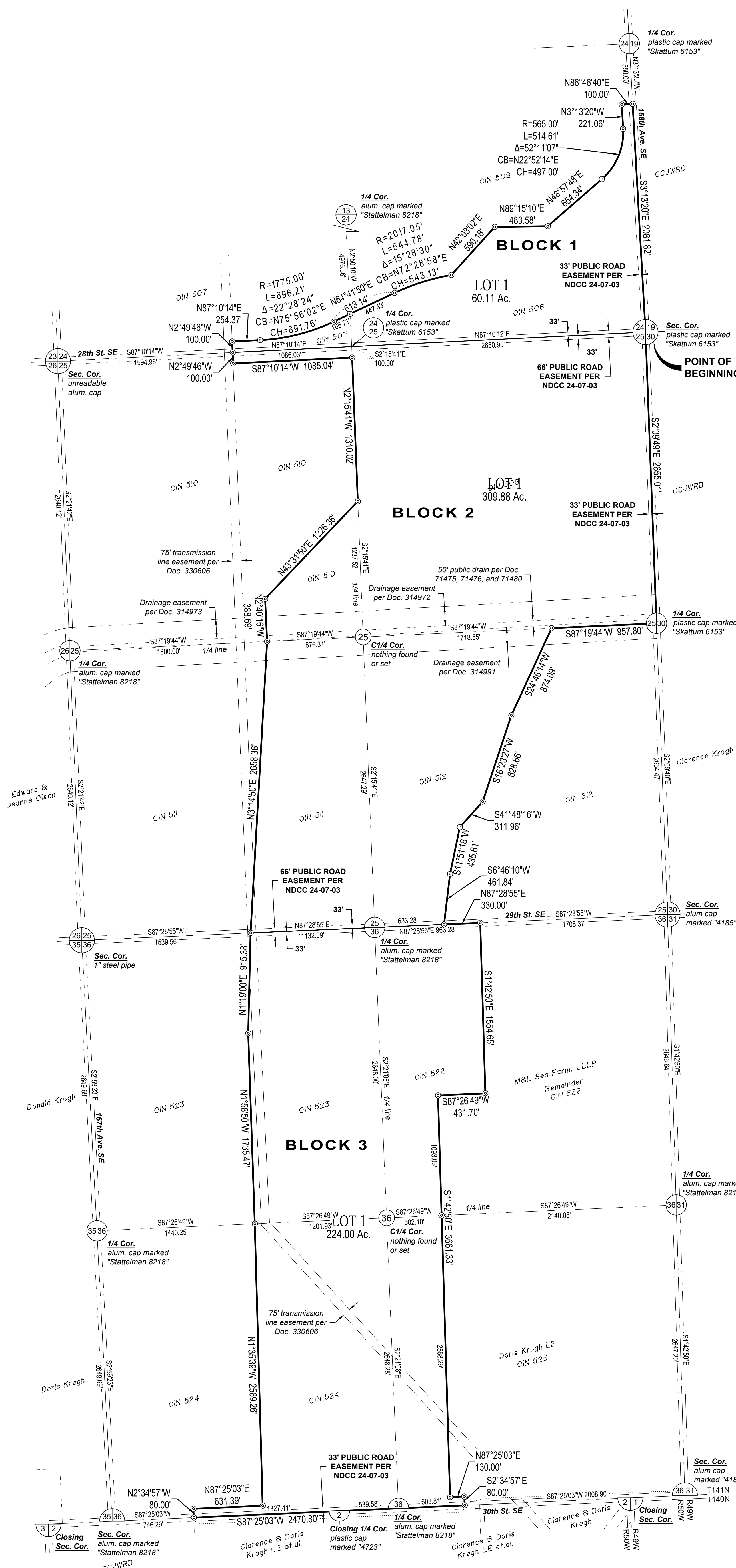
CERTIFICATE OF CASS COUNTY COMMISSIONERS

The Cass County Board of County Commissioners reviewed this plat at its meeting on the _____ day of _____, 2024, and, having found it to be in the interest of the public health, safety, and welfare, hereby approves it.

Rick Steen, Chairman
Attest: Michael Montplaisir, County Auditor

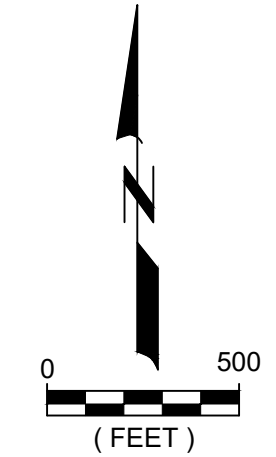
PLAT of FMD-BERLIN SUBDIVISION

IN SECTIONS 24, 25, and 36, T141N, R50W, 5th P.M., CASS COUNTY,
NORTH DAKOTA



EXISTING EASEMENTS
In addition to easements shown hereon, this subdivision is subject to the following easements:

Beneficiary	Doc. No.	Location
Northwestern Bell Tel.	455459	S1/2SW1/4 Sec. 36



BASIS OF BEARING
BEARINGS FOR THIS EXHIBIT ARE BASED ON THE NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAD83 (2007), SOUTH ZONE. DISTANCES ARE GROUND, US SURVEY FEET. CSF = 0.9998875

LEGEND	
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