

# CASS COUNTY PLANNING COMMISSION AGENDA

Thursday, April 25, 2024 at 7:00 a.m.

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

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**A. Call to Order**

**B. Roll Call**

**C. Determination of a Quorum**

**D. Approve Meeting Minutes of March 28, 2024**

**E. Public Hearing Items**

1. Hearing on an application requesting a Minor Subdivision Plat of **Erdmann Subdivision** located in Section 4, Township 138 North, Range 50 West of the 5<sup>th</sup> Principal Meridian, Warren Township, Cass County, North Dakota.
2. Hearing on an application requesting a Minor Subdivision Plat of **Chip and Jane's Subdivision** located in Section 33, Township 138 North, Range 50 West of the 5<sup>th</sup> Principal Meridian, Wisner Township, Cass County, North Dakota.
3. Hearing on an application requesting a Minor Subdivision Plat of **Johnson Subdivision** located in Section 22, Township 140 North, Range 55 West of the 5<sup>th</sup> Principal Meridian, Tower Township, Cass County, North Dakota.

**F. New Business**

**G. Old Business**

1. Opening on Planning Commission for a Fargo Resident

**H. Adjournment**

## CASS COUNTY PLANNING COMMISSION

March 28, 2024

### A. CALL TO ORDER

A meeting of the Cass County Planning Commission was called to order March 28, 2024 at 7:01am in the Tundra conference room at the Cass County Highway Department.

### B. ROLL CALL

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

Attending in person were Cole Hansen, Cass County Planner and Tom Soucy, Interim Cass County Engineer, Dean Vetter and Eric Dodds from AE2S and Chris Bakkegard from the FM Diversion Authority. Members of the public that attended in person were George Voigt, James Tvedt, Merle Anders and Loren Richards.

### C. DETERMINATION OF A QUORUM

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

### D. MINUTES, APPROVED

**MOTION, *passed***

**Mr. Olson moved and Mr. Veit seconded to approve the minutes of the February 22, 2024 meeting as presented.**

**Motion carried.**

### E. PUBLIC HEARING

- 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.**

Mr. Lougheed opened the public hearing.

Dr. Mahoney entered the meeting at 7:03am.

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.

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

**MOTION, *passed***

**Mr. Gust moved, and Mr. Veit 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, including that the remnant lot be added to the main lot.**

**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.**

Mr. Lougheed opened the public hearing.

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.

Mr. Hansen said that the tree line will be removed and the building outside the area is now gone.

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

**MOTION, *passed***

**Mr. Olson moved, and Mr. Monson 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.**

**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.**

Mr. Lougheed opened the public hearing.

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.

Mr. Bakkegard answered questions regarding green space. He made it clear that any additional platting will happen in the next few years after diversion construction is complete. The reason for this platting now is for construction purposes and there will be no residential building.

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.**

**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.**

Mr. Lougheed opened the public hearing.

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.

Mr. Hansen read a letter of concern from Mr. Jim Krogh. Mr. Krogh's concern is the consolidation of tracts of land acquired by the FM Diversion Authority. He would like any excess land to be turned back into productive agricultural land use. He is concerned that future replatting of Diversion land will permanently be turned over to a group that has little concern for the future use of small tracts of unused land. Mr. Bakkegard said that they will not know what is needed until construction is completed. There will be a replatting process that will go through proper design processes in which time the Diversion Authority will look more closely to ensure everything is correctly connected. Mr. Dodd did thank Mr. Krogh for keeping a close eye on this property and bringing up any concerns. Mr. Gust indicated that he appreciates the work being done with the platting process of the diversion areas.

There were no additional public comments, the public hearing was closed.

**MOTION, passed**

**Mr. Veit moved, and Mr. Olson 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.**

**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.**

Mr. Hansen summarized the 2023 Storm Water Pollution Prevention Program. The plan covers the Highway Department main facility. Culvers covered under the permit are within the city of Fargo jurisdiction. The facility map will require updates to the remodel and expansion of office space. No action is required to be taken.

## **F. NEW BUSINESS**

## **G. OLD BUSINESS**

Opening on Planning Commission for a Fargo Resident. Dr. Mahoney said that the City of Fargo is having a meeting to review boards that needs to be filled, and this position will be added to their meeting.

## **H. ADJOURNMENT**

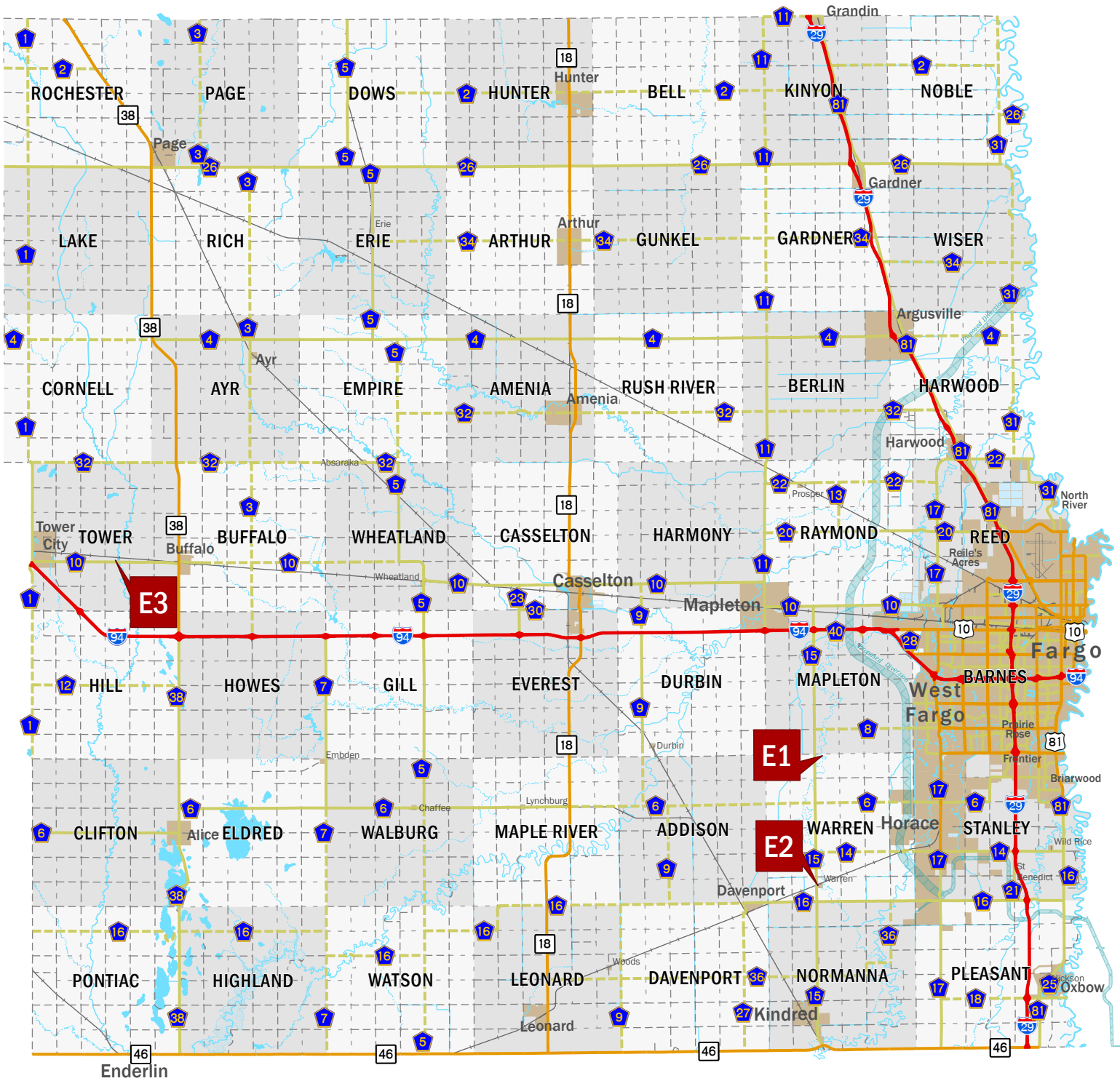
On motion by Mr. Gust and seconded by Dr. Mahoney and all voting in favor, the meeting was adjourned at 7:31 am.

Minutes prepared by Lisa Shasky, Principal Secretary, Cass County Highway Department.

# Agenda Items

Cass County Planning Commission

April 25, 2024



**Agenda Items:**

- E1 - Erdmann Subdivision
- E2 - Chip & Jane's Subdivision
- E3 - Johnson 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

<b>Entitlements Requested:</b>	<b>Minor Subdivision (2 Lots)</b> of a part of the NW ¼ of Section 4, Township 138 North, Range 50 West		
<b>Title:</b>	<b>Erdmann Subdivision</b>	<b>Date:</b>	04/25/24
<b>Location:</b>	NW ¼ of Section 4, Township 138 North, Range 50 West (Warren Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	67-0000-12615-010, 67-0000-12615-020	<b>Water District:</b>	Southeast Cass Water District
<b>Owner(s)/Applicant:</b>	Mark & Karen Erdmann	<b>Engineer/Surveyor:</b>	Moore Engineering
<b>Status:</b>	Planning Commission Hearing: April 25, 2024		

Existing Land Use	Proposed Land Use
Residential/Agricultural	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Erdmann Subdivision** to plat a two (2) Lot subdivision of approximately 19.8 acres. According to the applicant, the subdivision is requested to plat an existing auditor’s lot and create a new lot for sale and development.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 42<sup>nd</sup> St 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	
<b>County Engineer</b>	No comments were received prior to publishing the staff report.
<b>Water Resource District</b>	No comment.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint/T-Mobile/Congent</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.
<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.
<b>Magellan Pipeline Company</b>	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 comments were received prior to publishing the staff report.
County Sanitarian	No issue with proposal.
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. 42<sup>nd</sup> St SE borders the north 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



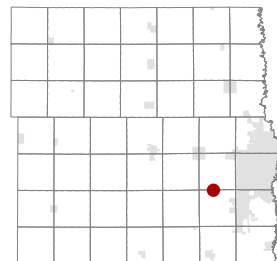
# Minor Subdivision

## Erdmann Subdivision

Section 4, Warren Township  
Township 138 North - Range 50 West



Cass County Planning Commission  
April 25, 2024

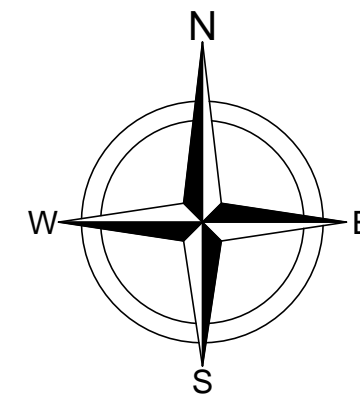
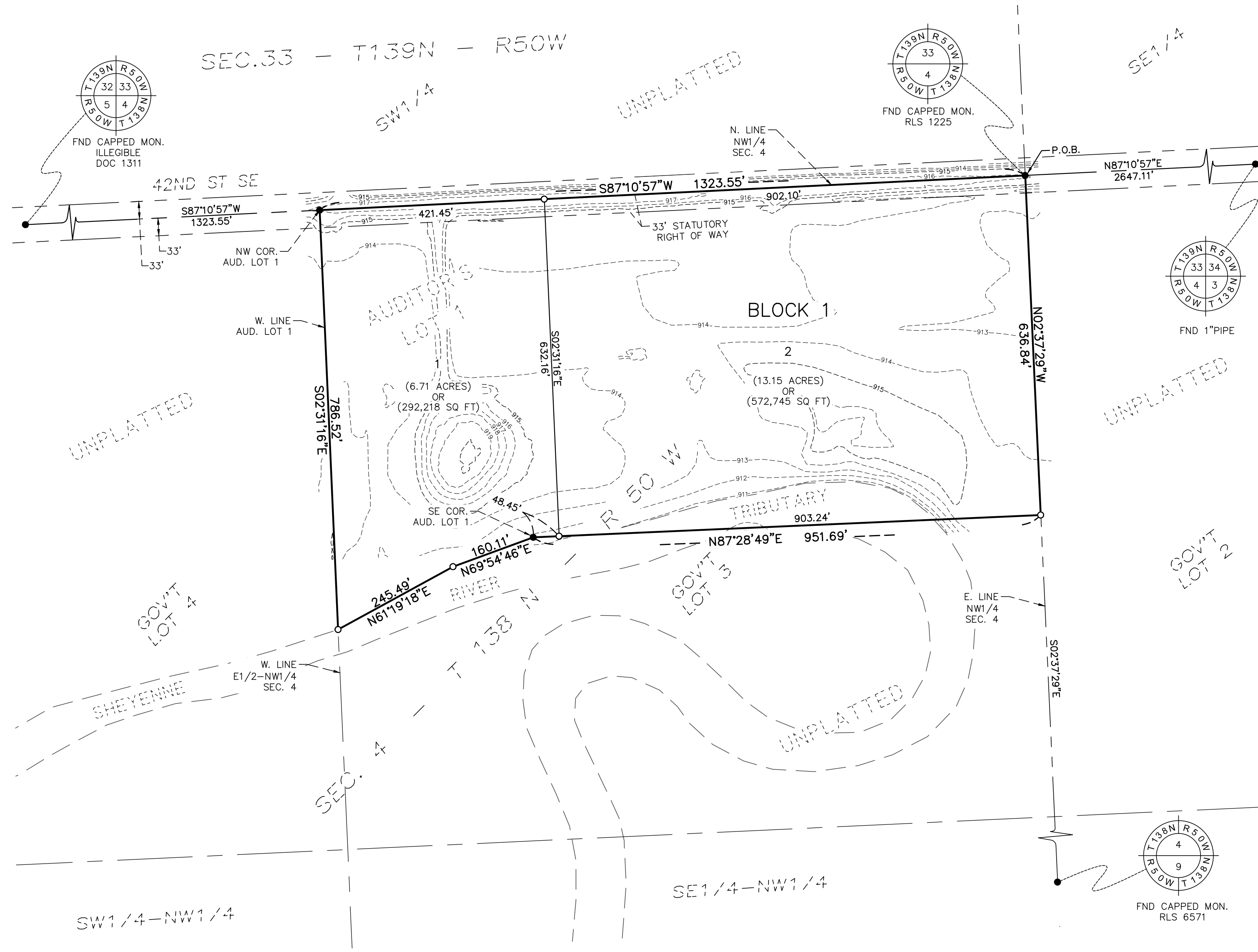


Imagery: spring 2021  
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



# PLAT OF ERDMANN SUBDIVISION

## A REPLAT OF AUDITOR'S LOT 1 OF THE NORTHWEST QUARTER OF SECTION 4 AND A PLAT OF PART OF GOVERNMENT LOT 3 OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 138 NORTH, RANGE 50 WEST, CASS COUNTY, NORTH DAKOTA



- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 28251
  - IRON MONUMENT FOUND
  - P.O.B. POINT OF BEGINNING
  - SECTION LINE
  - PLAT BOUNDARY LINE
  - LOT LINE
  - - - RIGHT OF WAY LINE

- NOTES**
- TOTAL PLATTED AREA: 19.86 ACRES
  - THE SUBJECT PROPERTY IS IN ZONE A - "AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 26% CHANCE OF FLOODING OVER THE LIFE OF THE 30-YEAR MORTGAGE.", AS INDICATED IN FIRM MAP 3802650001C, REVISED JANUARY 16, 2015.
  - CONTOURS SHOWN ARE FROM 2020 LIDAR DATA.
  - PROJECT BENCHMARK: NGS MONUMENT DESIGNATION "FIRM 12" - ROD IN SLEEVE NEAR INTERSECTION OF 40TH AVE. W. AND SHEYENNE ST. ELEVATION = 907.39' (NAVD 88 DATUM).

VICINITY MAP  
WARREN TOWNSHIP  
NOT TO SCALE

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

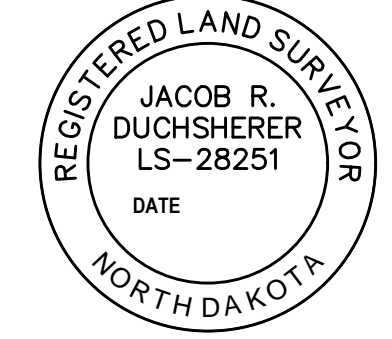
**CERTIFICATE**

Jacob R. Duchsherer, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plat of "ERDMANN SUBDIVISION", a replat of Auditor's Lot 1 of the Northwest Quarter of Section 4 and a plat of part of Government Lot 3 of the Northwest Quarter of Section 4, Township 138 North, Range 50 West, Cass County, North Dakota; that said plat is a true and correct representation of said survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys and that said subdivision is described as follows:

Beginning at the north quarter corner of said Section 4; thence South 87 degrees 10 minutes 57 seconds West (assumed bearing) along the north line of said Northwest Quarter for a distance of 1323.55 feet to the northwest corner of Auditor's Lot 1 of said Northwest Quarter; thence South 02 degrees 31 minutes 16 seconds East along the west line of said Auditor's Lot 1 and the west line of the East Half of the Northwest Quarter (E1/2NW1/4) of said Section 4 for a distance of 786.52 feet; thence North 61 degrees 19 minutes 18 seconds East for a distance of 245.49 feet; thence North 69 degrees 54 minutes 46 seconds East for a distance of 160.11 feet to the southeast corner of said Auditor's Lot 1; thence North 87 degrees 28 minutes 49 seconds East for a distance of 951.69 feet to the east line of said Northwest Quarter; thence North 02 degrees 37 minutes 29 seconds West along the east line of said Northwest Quarter for a distance of 636.84 feet to the point of beginning.

Said tract contains 19.86 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

PRELIMINARY



Jacob R. Duchsherer  
Registered Land Surveyor  
REG. NO. LS-28251

State of North Dakota)  
County of Cass )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchsherer, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Cass County, North Dakota

**DEDICATION**

We, the undersigned, do hereby certify that we are the owners of the land described in the plat of "ERDMANN SUBDIVISION", a replat of Auditor's Lot 1 of the Northwest Quarter of Section 4 and a plat of part of Government Lot 3 of the Northwest Quarter of Section 4, Township 138 North, Range 50 West, Cass County, North Dakota; that we have caused it to be platted into lots and blocks as shown by said plat and certificate of Jacob R. Duchsherer, Registered Land Surveyor and that the description as shown in the certificate of the registered professional land surveyor is correct.

Owners:

Mark R. Erdmann \_\_\_\_\_ Karen D. Erdmann \_\_\_\_\_

State of North Dakota)  
County of Cass )

on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said county and state, personally appeared Mark R. Erdmann and Karen D. Erdmann, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that they executed the same as their free act and deed.

Notary Public, Cass County, North Dakota

Mortgagee:  
Gate City Bank

By: \_\_\_\_\_  
Its: \_\_\_\_\_

State of North Dakota)  
County of Cass )

on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said county and state, personally appeared \_\_\_\_\_ known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same in the name of Gate City Bank.

Notary Public, Cass County, North Dakota

**WARREN TOWNSHIP REVIEW**

Reviewed by Warren Township, Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Jeff Fuchs, Chairperson

Attest: \_\_\_\_\_  
Vance Kemmer, Clerk

**COUNTY ENGINEER REVIEW**

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

Signed: \_\_\_\_\_  
Tom Soucy, Cass County Engineer

**CASS COUNTY PLANNING COMMISSION REVIEW**

Reviewed by the Cass County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Ken Loughheed, Chairperson

Attest: \_\_\_\_\_  
Lisa Shasky, Secretary

**CASS COUNTY COMMISSION APPROVAL**

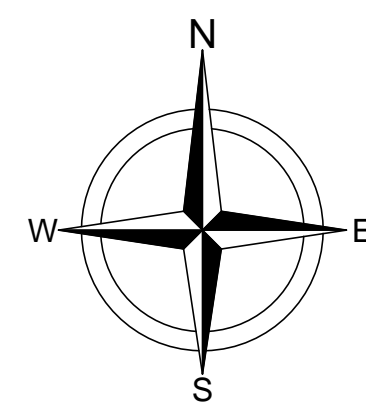
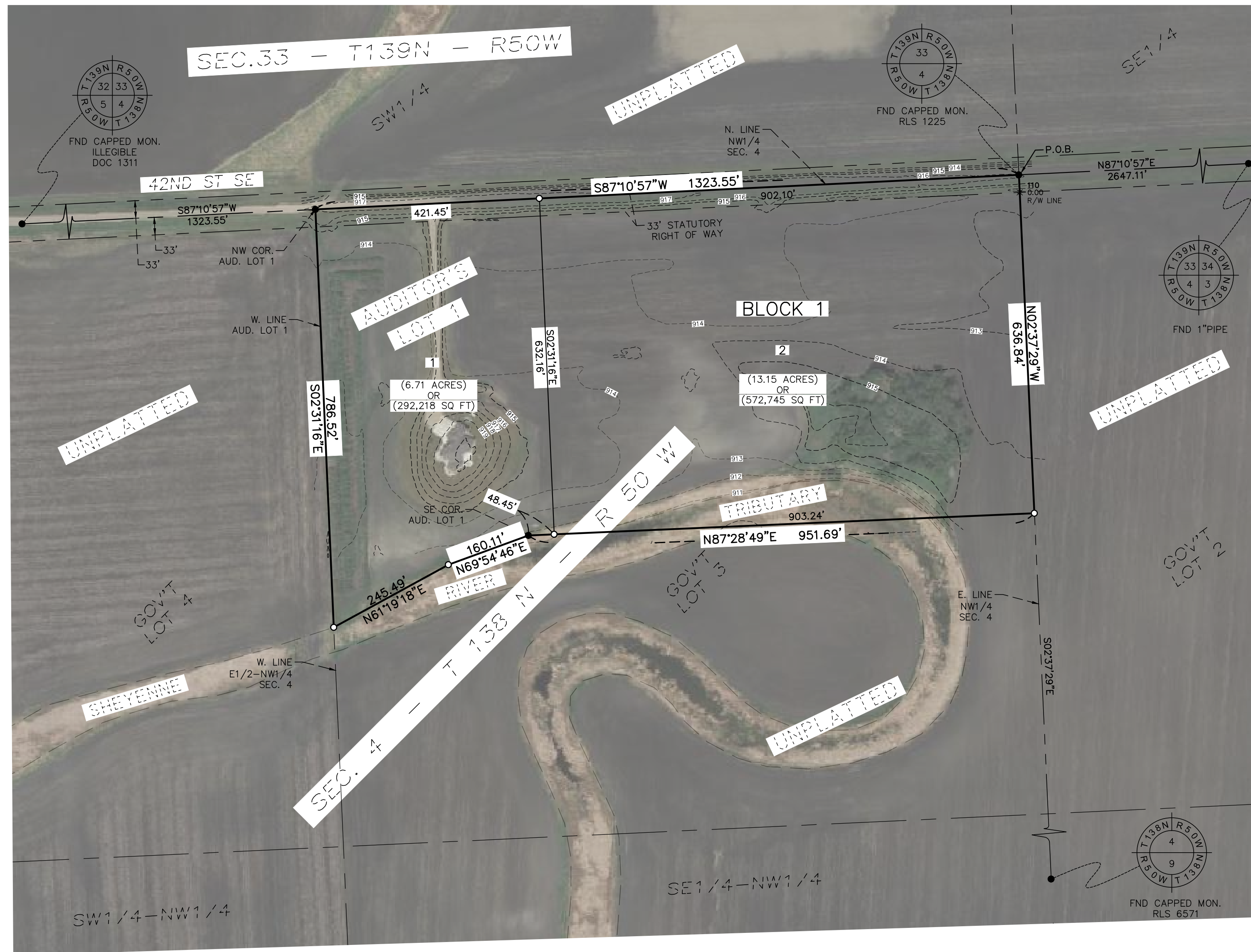
Approved by Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Chad Peterson, Chairperson, Board of County Commissioners

Attest: \_\_\_\_\_  
Brandy Madrigga, Cass County Finance Director



**PLAT OF  
ERDMANN SUBDIVISION**  
A REPLAT OF AUDITOR'S LOT 1 OF THE NORTHWEST QUARTER OF SECTION  
4 AND A PLAT OF PART OF GOVERNMENT LOT 3 OF THE NORTHWEST  
QUARTER OF SECTION 4, TOWNSHIP 138 NORTH, RANGE 50 WEST,  
CASS COUNTY, NORTH DAKOTA



0 150  
Scale in Feet

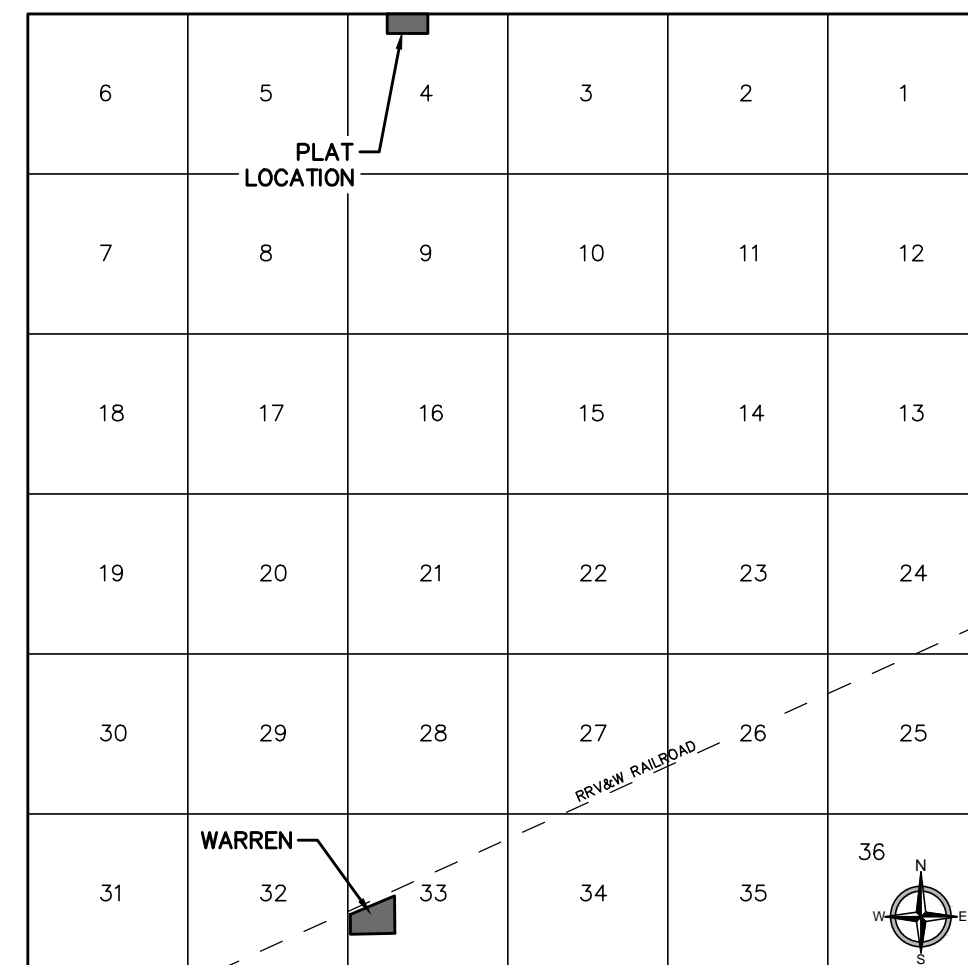
BASIS OF BEARINGS:  
THE NORTH LINE OF THE  
NW1/4 OF SECTION 4, T138N,  
R50W HAS AN ASSUMED  
BEARING OF S87°10'57\"

- LEGEND**
- IRON MONUMENT SET AND MARKED WITH LAND SURVEYOR NO. 28251
  - IRON MONUMENT FOUND
  - P.O.B. POINT OF BEGINNING
  - SECTION LINE
  - PLAT BOUNDARY LINE
  - LOT LINE
  - - - RIGHT OF WAY LINE

**NOTES**

1. TOTAL PLATTED AREA: 19.86 ACRES
2. THE SUBJECT PROPERTY IS IN ZONE A - "AREAS WITH A 1% ANNUAL CHANCE OF FLOODING AND A 26% CHANCE OF FLOODING OVER THE LIFE OF THE 30-YEAR MORTGAGE.", AS INDICATED IN FIRM MAP 3802650001C, REVISED JANUARY 16, 2015.
3. CONTOURS SHOWN ARE FROM 2020 LIDAR DATA.
4. PROJECT BENCHMARK: NGS MONUMENT DESIGNATION "FIRM 12" - ROD IN SLEEVE NEAR INTERSECTION OF 40TH AVE. W. AND SHEYENNE ST. ELEVATION = 907.39' (NAVD 88 DATUM).

**VICINITY MAP  
WARREN TOWNSHIP  
NOT TO SCALE**



**CERTIFICATE**

Jacob R. Duchsherer, being duly sworn, deposes and says that he is the registered land surveyor who prepared and made the attached plat of "ERDMANN SUBDIVISION", a replat of Auditor's Lot 1 of the Northwest Quarter of Section 4 and a plat of part of Government Lot 3 of the Northwest Quarter of Section 4, Township 138 North, Range 50 West, Cass County, North Dakota; that said plat is a true and correct representation of said survey; that all distances are correctly shown on said plat; that monuments have been placed in the ground as indicated for the guidance of future surveys and that said subdivision is described as follows:

Beginning at the north quarter corner of said Section 4; thence South 87 degrees 10 minutes 57 seconds West (assumed bearing) along the north line of said Northwest Quarter for a distance of 1323.55 feet to the northwest corner of Auditor's Lot 1 of said Northwest Quarter; thence South 02 degrees 31 minutes 16 seconds East along the west line of said Auditor's Lot 1 and the west line of the East Half of the Northwest Quarter (E1/2NW1/4) of said Section 4 for a distance of 786.52 feet; thence North 61 degrees 19 minutes 18 seconds East for a distance of 245.49 feet; thence North 69 degrees 54 minutes 46 seconds East for a distance of 160.11 feet to the southeast corner of said Auditor's Lot 1; thence North 87 degrees 28 minutes 49 seconds East for a distance of 951.69 feet to the east line of said Northwest Quarter; thence North 02 degrees 37 minutes 29 seconds West along the east line of said Northwest Quarter for a distance of 636.84 feet to the point of beginning.

Said tract contains 19.86 acres, more or less, and is subject to all easements, restrictions, reservations and rights of way of record, if any.

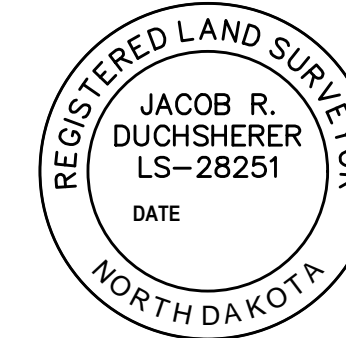
**PRELIMINARY**

Jacob R. Duchsherer  
Registered Land Surveyor  
REG. No. LS-28251

State of North Dakota )  
County of Cass )

On this \_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public in and for said County and State, personally appeared Jacob R. Duchsherer, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he executed the same as his free act and deed.

Notary Public, Cass County, North Dakota



**DEDICATION**

We, the undersigned, do hereby certify that we are the owners of the land described in the plat of "ERDMANN SUBDIVISION", a replat of Auditor's Lot 1 of the Northwest Quarter of Section 4 and a plat of part of Government Lot 3 of the Northwest Quarter of Section 4, Township 138 North, Range 50 West, Cass County, North Dakota; that we have caused it to be platted into lots and blocks as shown by said plat and certificate of Jacob R. Duchsherer, Registered Land Surveyor and that the description as shown in the certificate of the registered professional land surveyor is correct.

**Owners:**

Mark R. Erdmann \_\_\_\_\_ Karen D. Erdmann \_\_\_\_\_

State of North Dakota )  
County of Cass )

on this \_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said county and state, personally appeared Mark R. Erdmann and Karen D. Erdmann, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that they executed the same as their free act and deed.

Notary Public, Cass County, North Dakota

**Mortgagee:**

Bremer Bank, National Association

By: \_\_\_\_\_  
Its: \_\_\_\_\_

State of North Dakota )  
County of Cass )

on this \_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said county and state, personally appeared \_\_\_\_\_, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same in the name of Bremer Bank, National Association.

Notary Public, Cass County, North Dakota

**Mortgagee:**

Gate City Bank

By: \_\_\_\_\_  
Its: \_\_\_\_\_

State of North Dakota )  
County of Cass )

on this \_\_\_\_ day of \_\_\_\_\_, 2024, before me, a notary public in and for said county and state, personally appeared \_\_\_\_\_, known to me to be the person described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same in the name of Gate City Bank.

Notary Public, Cass County, North Dakota

**WARREN TOWNSHIP REVIEW**

Reviewed by Warren Township, Cass County, North Dakota, this \_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Jeff Fuchs, Chairperson

Attest: \_\_\_\_\_  
Vance Kemmer, Clerk

**COUNTY ENGINEER REVIEW**

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

Signed: \_\_\_\_\_  
Tom Soucy, Cass County Engineer

**CASS COUNTY PLANNING COMMISSION REVIEW**

Reviewed by the Cass County Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Ken Loughheed, Chairperson

Attest: \_\_\_\_\_  
Lisa Shasky, Secretary

**CASS COUNTY COMMISSION APPROVAL**

Approved by Cass County, North Dakota, this \_\_\_\_ day of \_\_\_\_\_, 2024.

Signed: \_\_\_\_\_  
Chad Peterson, Chairperson, Board of County Commissioners

Attest: \_\_\_\_\_  
Brandy Madrigga, Cass County Finance Director

PROJ. NO. 23846





# Cass County Planning Commission Staff Report

<b>Entitlements Requested:</b>	<b>Minor Subdivision (1 Lot)</b> of a part of the NW ¼ of Section 33, Township 138 North, Range 50 West		
<b>Title:</b>	<b>Chip and Jane’s Subdivision</b>	<b>Date:</b>	04/25/24
<b>Location:</b>	NW ¼ of Section 33, Township 138 North, Range 50 West (Warren Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	67-0000-12759-000, 67-0000-12760-020	<b>Water District:</b>	Maple River Water District
<b>Owner(s)/Applicant:</b>	Chip Stewart & Jane Randash	<b>Engineer/Surveyor:</b>	Interstate Engineering
<b>Status:</b>	Planning Commission Hearing: April 25, 2024		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Chip and Jane’s Subdivision** to plat a one (1) Lot subdivision of approximately 0.97 acres. According to the applicant, the subdivision is requested to combine 2 auditor’s lots to place a house.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use Warren St 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	
<b>County Engineer</b>	No comments were received prior to publishing the staff report.
<b>Water Resource District</b>	No comment.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint/T-Mobile/Congent</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.
<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.
<b>Magellan Pipeline Company</b>	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 comments were received prior to publishing the staff report.
County Sanitarian	This property is below 1 acre, but close enough that the department is willing to grant a variance provided the county supports it. The easement for rural water on the northeast will require that any waste treatment system be located on the south or west side of the lot, so the owners should build any structures with that in mind.
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 south, residential on the east and west, and a rail line on the north sides of the lot. Warren St borders the north 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
3. Variance Application

# 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: JAKE RANDASH  
Address: 916 2nd ST SOUTH  
MOOREHEAD, ND 58560  
Phone: 701-388-5218 / 218-<sup>443</sup>-0028  
Email: STEWARTSTRUCKING @ MSK.COM

### APPLICANT (IF DIFFERENT THEN OWNER)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### SUBJECT PROPERTY

Legal Description: \_\_\_\_\_  
Parcel ID Number: \_\_\_\_\_  
Address: 151 WABBER STREET WABBER TWP ND 58021  
Current Zoning Classification A1 AG

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

No deed restriction due to ~120 year old auditor's lots and historically relevant residential construction.

Jane Randash Jane Randash 4-3-24  
Signature of Applicant Print Name Date

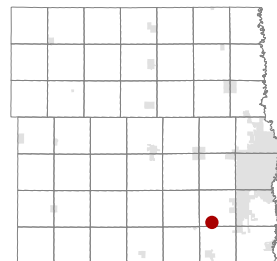
# Minor Subdivision

## Chip & Jane's Subdivision

Section 33, Warren Township  
Township 138 North - Range 50 West

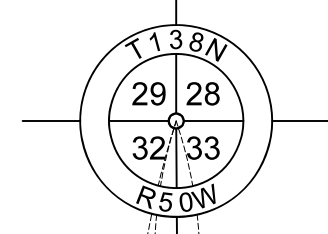


Cass County Planning Commission  
April 25, 2024



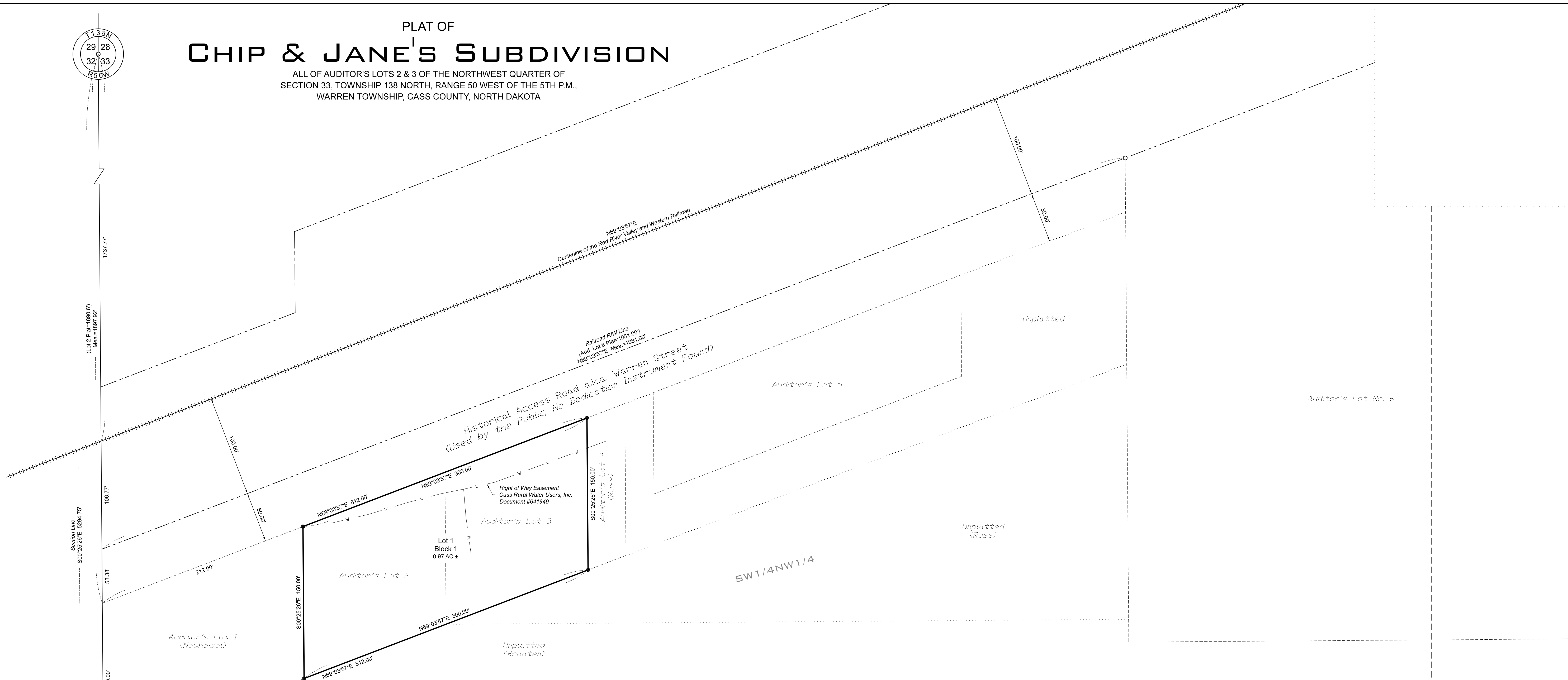
Imagery: spring 2021  
Maps and data are to be used for reference purposes only and Cass County, ND, is not responsible for any inaccuracies herein contained. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



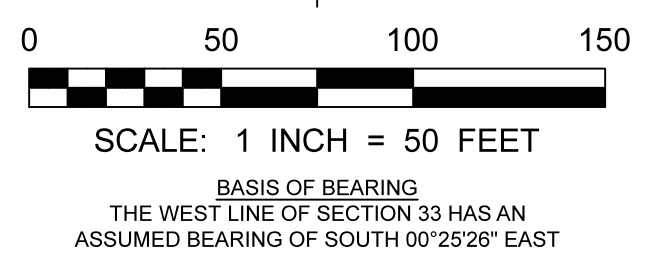


PLAT OF  
**CHIP & JANE'S SUBDIVISION**

ALL OF AUDITOR'S LOTS 2 & 3 OF THE NORTHWEST QUARTER OF  
SECTION 33, TOWNSHIP 138 NORTH, RANGE 50 WEST OF THE 5TH P.M.,  
WARREN TOWNSHIP, CASS COUNTY, NORTH DAKOTA



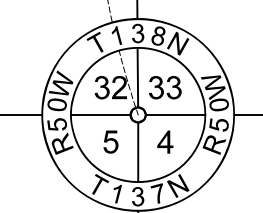
Cass County Highway No. 15  
Section Line  
S00°25'28"E 5294.75'  
Mea=1897.92'



- LEGEND**
- = CORNER MARKED WITH A 5/8" x 1/8" SOLID IRON PIN WITH PINK PLASTIC CAP MARKED "LS-29769"
  - = EXISTING OR FOUND CORNER MONUMENT
  - = PLAT BOUNDARY LINE
  - = EXISTING PLAT / PROPERTY LINE
  - - - = EXISTING EASEMENT LINE
  - ⋯ = RAILROAD RW LINE

- EXISTING EASEMENTS OF RECORD:**
1. Right of Way Easement granted to Northwestern Bell Telephone Company recorded January 17, 1972 at 4:31 p.m. in Book R-5 of Misc., page 216 as document #455114.
  2. Right of Way Easement granted to Cass Rural Water Users, Inc. recorded January 29, 1986 at 1:04 p.m. as document #641949. 30' wide - no centerline description given. See field located water line.
  3. Right of Way Easement granted to Northwestern Bell Telephone Company recorded January 17, 1972 at 4:30 p.m. in Book R-5 of Misc., page 214 as document #455113.

**REGULATORY FLOOD STATEMENT**  
Chip & Jane's Subdivision falls in Zone X as identified ON NFIP Flood Insurance Rate Map No. 3802650001C with an effective date of Jan. 16, 2015.



**OWNER'S CERTIFICATE AND DEDICATION**

Know all persons by these presents that Jane L Randash is the owner and proprietor of the following described tracts of land, to wit:

Auditor's Lot Two of the Northwest Quarter of Section Thirty-three, in Township One Hundred Thirty-eight North of Range Fifty West of the Fifth Principal Meridian, being situate in the County of Cass and the State of North Dakota.

AND  
Auditor's Lot Three of the Northwest Quarter of Section Thirty-three, in Township One Hundred Thirty-eight North of Range Fifty West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota

And that she has caused the herein described tracts of land to be surveyed and platted as shown on the attached plat and that she hereby designates the attached plat for future identification as **CHIP & JANE'S SUBDIVISION**

OWNER: Jane L Randash  
  
Jane L Randash \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public, in and for said County and State, personally appeared Jane L Randash, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same.

Notary Public \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, Dustin Vosberg, Professional Land Surveyor under the laws of the State of North Dakota, prepared and made the attached plat of **CHIP & JANE'S SUBDIVISION** and do hereby certify that this plat is a true and correct representation of the survey thereof, that all distances are correctly shown in feet and decimals of a foot; that the monuments for the guidance of future surveys will be located or placed in the ground within 365 days of the acceptance of this plat as shown.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**PRELIMINARY**

Dustin Vosberg  
Professional Land Surveyor  
ND Registration No. LS-29769

State of North Dakota )  
  ) ss  
County of Richland )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public, in and for said County and State, personally appeared Dustin Vosberg to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public \_\_\_\_\_

**CASS COUNTY ENGINEER**

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

Jason Benson, Cass County Engineer \_\_\_\_\_

**CASS COUNTY PLANNING COMMISSION**

Reviewed by the Cass County Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Name, Chairman \_\_\_\_\_

Attest: \_\_\_\_\_  
Name, Secretary

**CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL**

Reviewed by Cass County, North Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Chad Peterson, Chairman \_\_\_\_\_

Attest: \_\_\_\_\_  
Brandy Madrigga, Cass County Finance Director

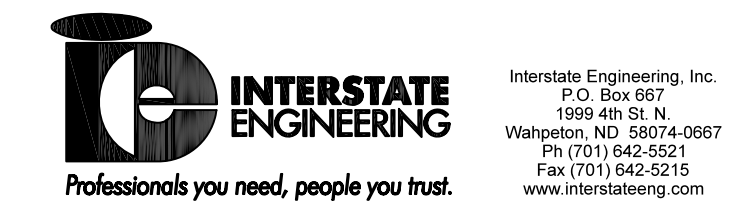
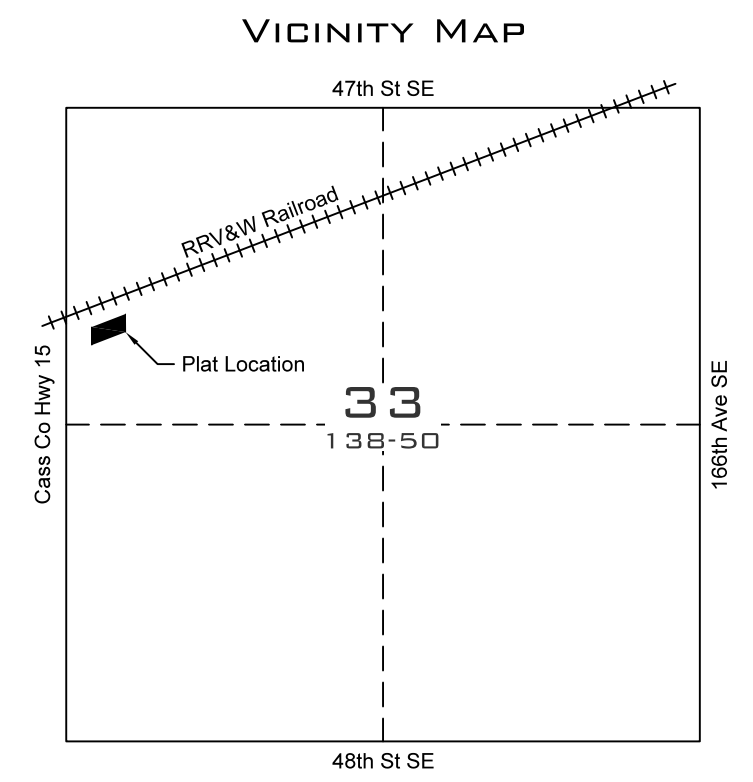
**WARREN TOWNSHIP**

Reviewed by Warren Township, Cass County, North Dakota,

this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Jeff Fuchs, Chairman \_\_\_\_\_

Attest: \_\_\_\_\_  
Vance Kemmer, Clerk







## Cass County Planning Commission Staff Report

<b>Entitlements Requested:</b>	<b>Minor Subdivision (3 Lots)</b> of a part of the SW ¼ of Section 22, Township 140 North, Range 55 West		
<b>Title:</b>	<b>Johnson Subdivision</b>	<b>Date:</b>	04/25/24
<b>Location:</b>	SW ¼ of Section 22, Township 140 North, Range 55 West (Tower Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	65-0000-12087-010, 65-0000-12087-020	<b>Water District:</b>	Maple River Water District
<b>Owner(s)/Applicant:</b>	Steven D. Johnson	<b>Engineer/Surveyor:</b>	KLJ Engineering
<b>Status:</b>	Planning Commission Hearing: April 25, 2024		

Existing Land Use	Proposed Land Use
Residential/Agricultural	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Johnson Subdivision** to plat a three (3) Lot subdivision of approximately 49.5 acres. According to the applicant, the subdivision is requested to plat lots for sale.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use County Road 10 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	
<b>County Engineer</b>	No comments were received prior to publishing the staff report.
<b>Water Resource District</b>	No comment.
<b>Cass County Electric Cooperative</b>	No comments were received prior to publishing the staff report.
<b>Century Link</b>	No comments were received prior to publishing the staff report.
<b>Sprint/T-Mobile/Congent</b>	No comments were received prior to publishing the staff report.
<b>AT&amp;T</b>	No comments were received prior to publishing the staff report.
<b>Xcel Energy</b>	No comments were received prior to publishing the staff report.
<b>Otter Tail Power Company</b>	No comments were received prior to publishing the staff report.
<b>Magellan Pipeline Company</b>	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 comments were received prior to publishing the staff report.
County Sanitarian	No issue with proposal.
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 10 borders the south 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

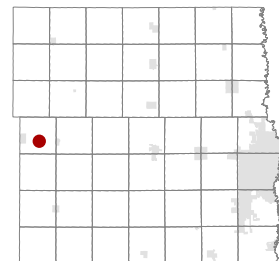
# Minor Subdivision

## Johnson Subdivision

Section 22, Tower Township  
Township 140 North - Range 55 West



Cass County Planning Commission  
April 25, 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.

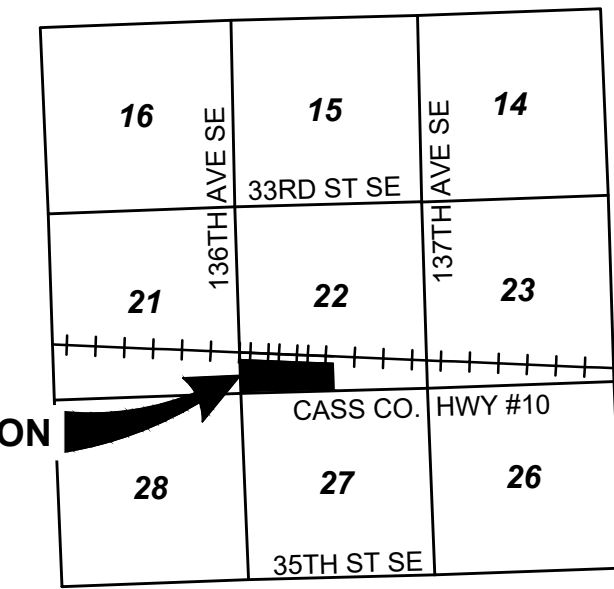


# JOHNSON SUBDIVISION

(A MINOR SUBDIVISION)

IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST,  
FIFTH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA

## LOCATION MAP T140N R55W



Not to Scale

**FLOOD PLAIN STATEMENT:**  
THERE ARE NO PUBLISHED FEMA FLOOD PLAIN MAPS FOR TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA.

**ENGINEER:** KLJ  
1010 4TH AVE SW  
VALLEY CITY, ND 58072

**CLIENT:** STEVE JOHNSON  
3137 32ND AVE. S., STE. 211  
FARGO, ND 58103

**NOTE:**  
SURVEY IS BASED ON NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAVD 83 (2011), SOUTH ZONE, INTERNATIONAL FEET, CASS COUNTY GROUND DISTANCES  
USE CONVERSION FACTOR OF 0.9998875 TO CONVERT GROUND DISTANCES TO GRID DISTANCES.

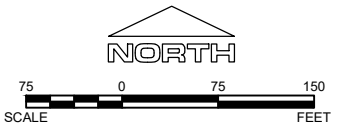
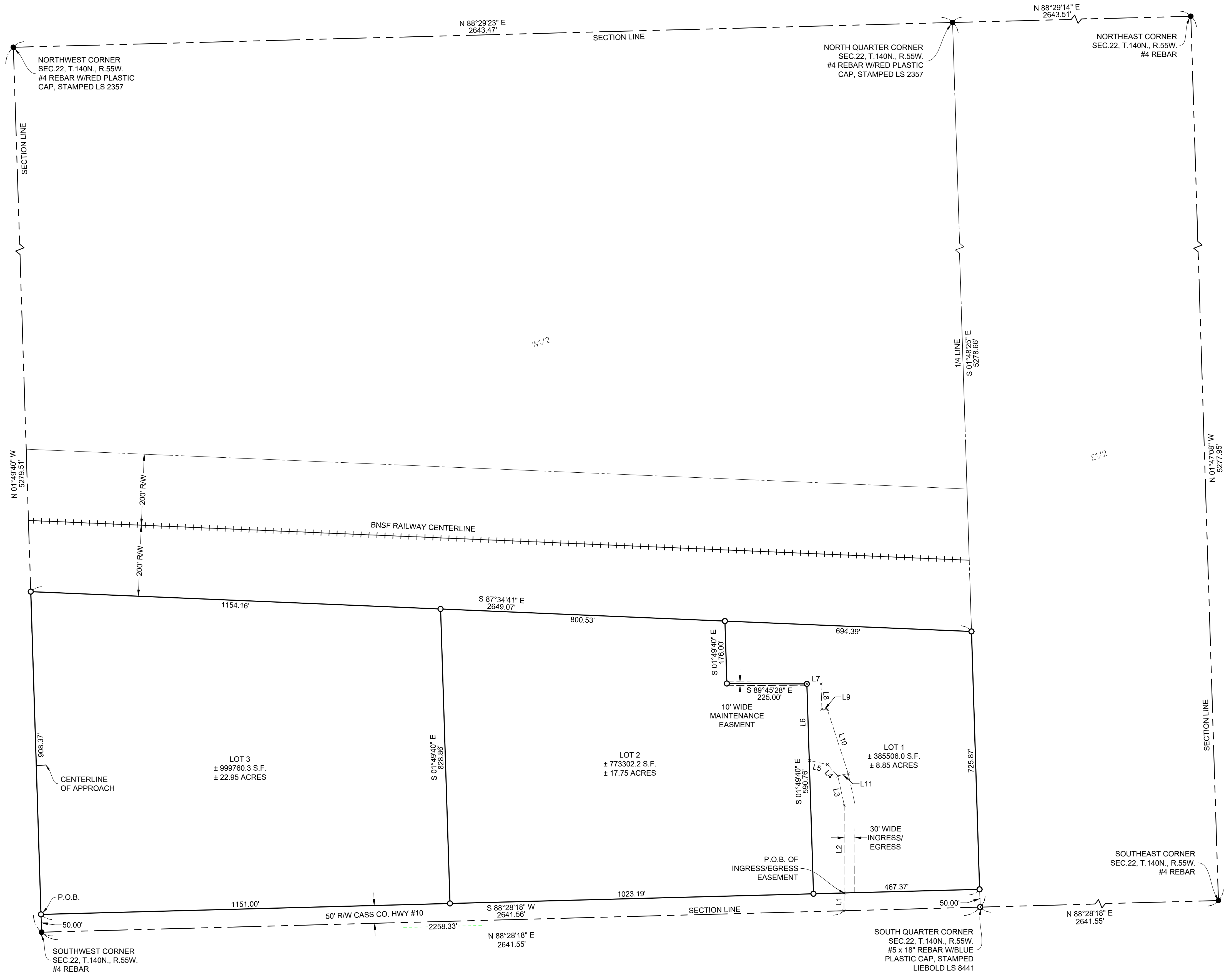
SAID TRACT OF LAND IS SUBJECT TO ANY EASEMENT RESTRICTIONS OR RESERVATIONS, EITHER EXISTING OR RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.

## LEGEND

- SET 5/8" REBAR W/BCP LS 8841
- FOUND MONUMENT AS DESCRIBED

EASEMENT LINE DATA		
SEGMENT	BEARING	LENGTH
L1	N 0°08'01" E	50.02
L2	N 0°08'01" E	247.22
L3	N 12°32'11" W	84.22
L4	N 42°21'56" W	43.38
L5	N 77°27'59" W	52.09
L6	N 1°49'40" W	215.50
L7	S 89°45'28" E	40.03
L8	S 1°49'40" E	71.05
L9	S 89°45'28" E	15.20
L10	S 17°58'57" E	190.28
L11	S 77°27'49" W	30.00



Steve Johnson  
3137 32ND AVE. S., STE. 211, FARGO, ND 58103

(A MINOR SUBDIVISION)  
SOUTHWEST QUARTER OF  
SEC. 22, T. 140N., R. 55W., 5TH P.M.  
CASS COUNTY  
NORTH DAKOTA

KLJ

1-2

# JOHNSON SUBDIVISION

(A MINOR SUBDIVISION)

IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST,  
FIFTH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA

### CERTIFICATE

I, FELIX LIEBOLD, BEING DULY SWORN DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "JOHNSON SUBDIVISION" TO THE COUNTY OF CASS, A PLAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST, OF THE 5TH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID SUBDIVISION IS DESCRIBED AS FOLLOWS, TO WIT:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE N01°49'40"W ALONG THE WEST BOUNDARY OF SAID SOUTHWEST QUARTER A DISTANCE OF 50.00 FEET TO THE NORTHERLY RIGHT OF WAY OF CASS COUNTY HIGHWAY 10, THE POINT OF BEGINNING; THENCE CONTINUING N01°49'40"W ALONG SAID WEST BOUNDARY A DISTANCE OF 908.37 FEET TO THE SOUTHERLY RIGHT OF WAY OF BNSF RAILWAY; THENCE S87°34'41"E ALONG SAID SOUTHERLY RIGHT OF WAY A DISTANCE OF 2649.07 FEET TO THE EAST BOUNDARY OF SAID SOUTHWEST QUARTER; THENCE S01°48'25"E ALONG SAID EAST BOUNDARY A DISTANCE OF 725.87 FEET TO SAID NORTHERLY RIGHT OF WAY OF CASS COUNTY HIGHWAY 10; THENCE S88°28'18"W ALONG SAID RIGHT OF WAY A DISTANCE OF 2641.56 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 49.55 ACRES (2158568.5 S.F.) AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

### INGRESS/EGRESS EASEMENT:

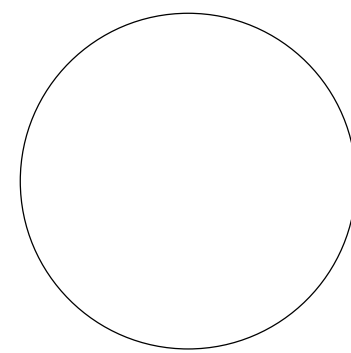
A 30.00-FOOT-WIDE INGRESS/EGRESS EASEMENT OVER, UNDER AND ACROSS THE SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA, FOR A TRACT OF LAND CONTAINING 17.75 ACRES, MORE OR LESS, THE WESTERLY AND EASTERLY LINE OF SAID EASEMENT ARE PARALLEL, THE WESTERLY LINE OF SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE N88°28'18"E ALONG THE SOUTH BOUNDARY OF SAID SOUTHWEST QUARTER A DISTANCE OF 2258.33 FEET; THENCE N00°08'01"E A DISTANCE OF 50.02 FEET TO THE NORTHERLY RIGHT OF WAY OF CASS COUNTY HIGHWAY 10, THE BEGINNING OF SAID WESTERLY LINE OF 30-FOOT-WIDE INGRESS/EGRESS EASEMENT; THENCE CONTINUING N00°08'01"E A DISTANCE OF 247.22 FEET; THENCE N12°32'11"W A DISTANCE OF 84.22 FEET, AND SAID WESTERLY LINE OF 30-FOOT-WIDE INGRESS/EGRESS EASEMENT THERE TERMINATING.

TOGETHER WITH AN INGRESS/EGRESS EASEMENT OVER, UNDER AND ACROSS SAID SOUTHWEST QUARTER, SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA, FOR A TRACT OF LAND CONTAINING 17.75 ACRES, MORE OR LESS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FROM THE TERMINUS OF ABOVE DESCRIBED WESTERLY LINE OF SAID 30-FOOT-WIDE INGRESS/EGRESS EASEMENT; THENCE N42°21'56"W A DISTANCE OF 43.38 FEET; THENCE N77°27'59"W A DISTANCE OF 52.09 FEET; THENCE N01°49'40"W A DISTANCE OF 215.50 FEET; THENCE S89°45'28"E A DISTANCE OF 40.03 FEET; THENCE S01°49'40"E A DISTANCE OF 71.05 FEET; THENCE S89°45'28"E A DISTANCE OF 15.20 FEET; THENCE S17°58'57"E A DISTANCE OF 190.28 FEET, TO THE TERMINUS OF THE EASTERLY LINE OF 30-FOOT-WIDE INGRESS/EGRESS EASEMENT; THENCE S77°27'49"W A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

FELIX LIEBOLD  
REGISTERED LAND SURVEYOR  
REG. NO. 8441



STATE OF NORTH DAKOTA )  
 )SS  
COUNTY OF BARNES )

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024, BEFORE M, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE FOREGOING SURVEYOR'S CERTIFICATE, WHO EXECUTED THE SAME AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

### DEDICATION

WE, THE UNDERSIGNED DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "JOHNSON SUBDIVISION" TO THE COUNTY OF CASS, A PLAT OF PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 140 NORTH, RANGE 55 WEST, OF THE 5TH PRINCIPAL MERIDIAN, TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF FELIX LIEBOLD, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

STEVE JOHNSON  
OWNER

STATE OF NORTH DAKOTA )  
 )SS  
COUNTY OF CASS )

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED \_\_\_\_\_, KNOWN TO ME TO BE THE SAME PERSON WHO IS DESCRIBED IN THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC

### CASS COUNTY ENGINEER:

REVIEWED BY THE CASS COUNTY ENGINEER, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

JASON BENSON, CASS COUNTY ENGINEER

ATTEST; \_\_\_\_\_  
SECRETARY

### TOWER TOWNSHIP:

REVIEWED BY TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_, CHAIRMAN

ATTEST; \_\_\_\_\_  
CLERK

### CASS COUNTY PLANNING COMMISSION:

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

KEN LOUGHEED, CHAIRMAN

ATTEST; \_\_\_\_\_  
SECRETARY

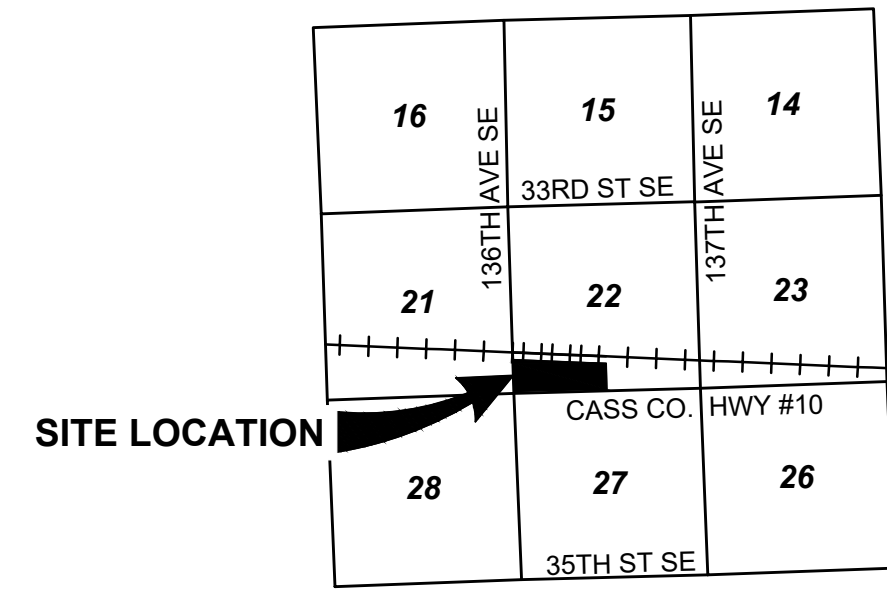
### CASS COUNTY BOARD OF COMMISSIONERS' APPROVAL

APPROVED BY CASS COUNTY, NORTH DAKOTA, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

CHAD PETERSON, CHAIRMAN

ATTEST; BRANDY MADRIGGA, CASS COUNTY FINANCE DIRECTOR

### LOCATION MAP T140N R55W



Not to Scale

**FLOOD PLAIN STATEMENT:**  
THERE ARE NO PUBLISHED FEMA FLOOD PLAIN MAPS FOR TOWER TOWNSHIP, CASS COUNTY, NORTH DAKOTA.

**ENGINEER:** KLJ  
1010 4TH AVE SW  
VALLEY CITY, ND 58072  
**CLIENT:** STEVE JOHNSON  
3137 32ND AVE. S., STE. 211  
FARGO, ND 58103

**NOTE:**  
SURVEY IS BASED ON NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, NAVD 83 (2011), SOUTH ZONE, INTERNATIONAL FEET, CASS COUNTY GROUND DISTANCES

USE CONVERSION FACTOR OF 0.9998875 TO CONVERT GROUND DISTANCES TO GRID DISTANCES.

SAID TRACT OF LAND IS SUBJECT TO ANY EASEMENT RESTRICTIONS OR RESERVATIONS, EITHER EXISTING OR RECORD.

BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENT.



KLJ  
(A MINOR SUBDIVISION)  
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