

# **CASS COUNTY PLANNING COMMISSION AGENDA**

**Thursday, March 27, 2025 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 Order of Agenda**

**E. Approve Meeting Minutes of February 27, 2025**

**F. Public Hearing Items**

1. Hearing on an application requesting a Minor Subdivision Plat of **Solberg Pioneer Cemetery** located in Section 35, Township 138 North, Range 49 West of the 5<sup>th</sup> Principal Meridian, Stanley Township, Cass County, North Dakota.
2. Hearing on an application requesting a Minor Subdivision Plat of **Carpenter's Subdivision** located in Section 35, Township 137 North, Range 50 West of the 5<sup>th</sup> Principal Meridian, Normanna Township, Cass County, North Dakota.

**G. New Business**

**H. Old Business**

1. Opening on Planning Commission for City of Fargo Resident

**I. Adjournment**

**CASS COUNTY PLANNING COMMISSION  
February 27, 2025**

**A. CALL TO ORDER**

A meeting of the Cass County Planning Commission was called to order February 27, 2025 at 7:00am in the Heritage 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 Jay Nelson.

Commissioner Duane Breitling and Ken Lougheed were absent.

Attending in person were Cole Hansen, Cass County Planner, Ethan Lehmann, Assistant Planner/GIS Specialist, Tom Soucy, Interim County Engineer.

Members of the public that attended in person were Gordan Fjelstad, Brenda Staples, Ann and James Ueland, Arnold Ruud, and Jason Carpenter. Members of the public that attended via teams were Daniel Phillips, Dan Phillips, Michele and Dave Sherman.

**C. DETERMINATION OF A QUORUM**

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

**D. APPROVE ORDER OF AGENDA**

**MOTION, *passed***

**Mr. Olson moved, and Mr. Nelson seconded to approve the order of the agenda as presented. Motion carried.**

**E. MINUTES, APPROVED**

**MOTION, *passed***

**Mr. Nelson moved, and Mr. Monson seconded to approve the minutes of the February 27, 2025 meeting as presented.**

**Motion carried.**

**F. PUBLIC HEARING**

- 1. Hearing on an application requesting a Minor Subdivision Plat of Schutt Subdivision located in Section 31, Township 141 North, Range 50 West of the 5th Principal Meridian, Berlin Township, Cass County, North Dakota.**

Mr. Gust opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Schutt's Subdivision to plat a one (1) Lot subdivision of approximately 7.10 acres. According to the applicant, the subdivision is requested to plat a lot to split a home from the farmstead.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use Co HWY 11 for road access, ditches for storm sewer conveyance,

rural water. The property currently does not have a licensed on-site septic system for wastewater treatment.

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

**MOTION, passed**

**Mr. Monson 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.**

**2. Hearing on an application requesting a Minor Subdivision Plat of Carpenter’s Subdivision located in Section 35, Township 137 North, Range 50 West of the 5th Principal Meridian, Normanna Township, Cass County, North Dakota.**

Mr. Gust opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Carpenter’s Subdivision to plat a two (2) Lot subdivision of approximately 11 acres. According to the applicant, the subdivision is requested to plat a lot for an existing home and plat a second lot for the building of a new home.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 53rd St SE for road access, ditches for storm sewer conveyance, rural water. The property currently does not have a licensed on-site septic system for wastewater treatment.

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

Property currently only has 45 acres, so it was recommended to try and get more acreage from neighboring areas, or it requires a variance.

**MOTION, tabled**

**Mr. Gust moved, and Mr. Monson seconded to table this subdivision until the next planning meeting.**

**3. Hearing on an application requesting a Minor Subdivision Plat of Sheyenne Valley Farm Third Subdivision located in Section 18, Township 140 North, Range 49 West of the 5th Principal Meridian, Reed Township, Cass County, North Dakota.**

Mr. Gust opened the public hearing.

The applicant is seeking approval of a minor subdivision entitled Sheyenne Valley Farm Second Subdivision to plat a two (2) Lot subdivision of approximately 9.5 acres. According to the applicant, the subdivision is requested to replat a lot and plat a new lot to redraw the lot lines.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 48th Ave N for road access, ditches for storm sewer conveyance,

rural water. The property currently does not have a licensed on-site septic system for wastewater treatment.

Brenda Staples has a contract with the current land owners regarding the purchase of the land.

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

**MOTION, *tabled***

**Mr. Gust moved, and Mr. Gohdes seconded to table this subdivision until the next planning meeting.**

#### **G. NEW BUSINESS**

#### **H. OLD BUSINESS**

Opening on Planning Commission for City of Fargo Resident

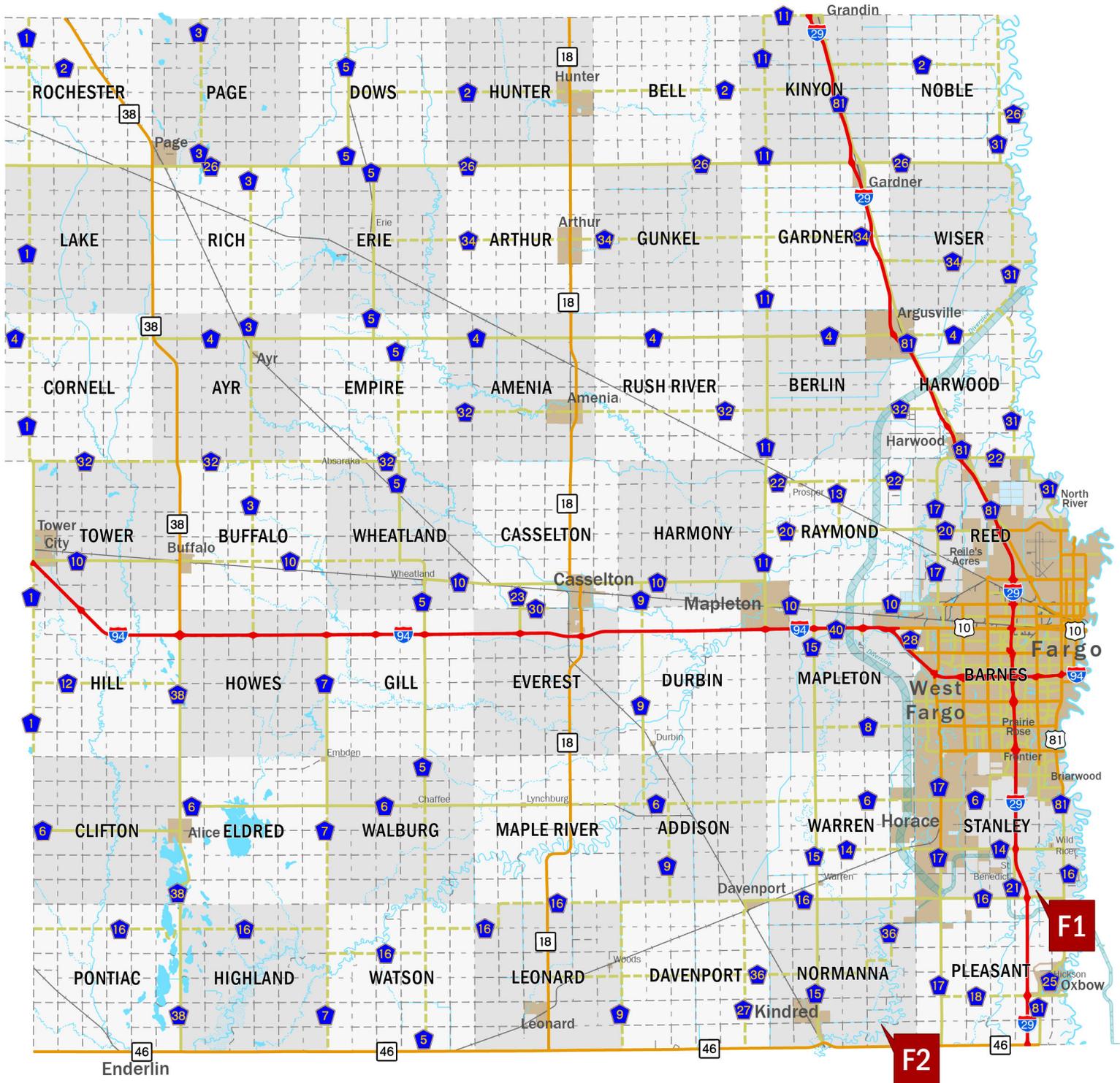
#### **I. ADJOURNMENT**

On motion by Mr. Monson and seconded by Mr. Nelson and all voting in favor, the meeting was adjourned at 7:32 am.

# Agenda Items

Cass County Planning Commission

March 27, 2025



## Agenda Items:

- F1, Solberg Pioneer Cemetery
- F2, Carpenter's 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 (1 Lot)</b> of a part of the SE ½ of Section 35, Township 138 North, Range 49 West		
<b>Title:</b>	<b>Carpenter’s Subdivision</b>	<b>Date:</b>	03/27/25
<b>Location:</b>	SE ½ of Section 35, Township 138 North, Range 49 West (Stanley Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	64-0000-03000-010	<b>Water District:</b>	SE Cass Water District
<b>Owner(s)/Applicant:</b>	Susan Loe, Owner	<b>Engineer/Surveyor:</b>	Ulteig Engineering
<b>Status:</b>	Planning Commission Hearing: March 27, 2025		

Existing Land Use	Proposed Land Use
Agricultural	Agricultural (Cemetery)
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Solberg Pioneer Cemetery** to plat a one (1) Lot subdivision of approximately 0.040 acres. According to the applicant, the subdivision is requested to plat a lot to register a family pioneer cemetery with the state of North Dakota.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use an access easement for access. The property currently does not have a licensed 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 comments were received prior to publishing the staff report.
<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, south, west, and east sides of the lot.

*Floodzone*  
 According to the FEMA Flood Map Service Center, this property is currently mapped with an AE Zone being identified in addition to lying within the floodway of the Wild Rice River. 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

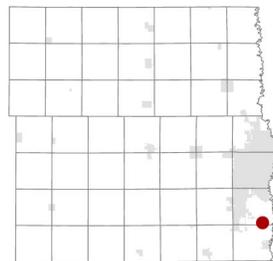
# Minor Subdivision

## Solberg Pioneer Cemetery

Section 35, Stanley Township  
Township 138 North - Range 49 West



Cass County Planning Commission  
March 27, 2025



Imagery: NAIP, summer/fall 2023

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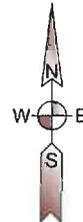


# SOLBERG FAMILY CEMETERY PLAT

## LEGEND

- Found Monument (as described)
- Set #5 Rebar w/ Cap #LS-6294

0 10 20  
 SCALE: 1" = 20'  
 (SHEET SIZE 8.5"x14")



NE Cor., SE 1/4, Sec. 35  
 5/8" Rebar

P.O.C.

North Line, SE 1/4, Sec. 35

NE Cor., Warranty Deed #1165004  
 5/8" Rebar

S88° 02' 26"W 734.84'

North Line, Warranty Deed #1165004

S01° 57' 34"E 618.60'

P.O.B., Cemetery Plat

Centerline C,  
 16.5' Wide  
 Ingress/Egress  
 Easement  
 (See Sheets  
 3-5)

N35° 37' 58"E  
 40.00'

S54° 22' 02"E  
 40.00'

P.O.T.,  
 Centerline C

30.57'  
 S72° 24' 03"E

40.00'  
 N54° 22' 02"W

S35° 37' 58"W  
 40.00'



1085.08'

----- S02° 14' 26"E 2639.27' -----

SE Cor., Warranty Deed #1165004  
 5/8" Rebar

South Line, Warranty Deed #1165004

1319.64'

SE Cor., SE 1/4, Sec. 35

# SOLBERG FAMILY CEMETERY PLAT

## CEMETERY PLAT LEGAL DESCRIPTION:

That part of a tract of land, as described per Warranty Deed filed on March 06, 2006 as Document #1165004, and recorded at the Cass County, North Dakota recorder's office, more specifically described as follows:

Commencing at the northeast corner of the Southeast Corner of Section 35, Township 138 North, Range 49 West, thence on an assumed bearing, South 02 degrees 14 minutes 26 seconds East, a distance of 234.56 feet to the northeast corner of said Warranty Deed; thence west along the north line of said Warranty Deed, an assumed bearing, South 88 degrees 02 minutes 26 seconds West, a distance of 734.84 feet, thence on a line parallel to said north line, South 01 degrees 57 minutes 34 seconds East, a distance of 618.60 feet to the point of beginning; thence South 54 degrees 22 minutes 02 seconds East, a distance of 40.00 feet; thence South 35 degrees 37 minutes 58 seconds West, a distance of 40.00 feet; thence North 54 degrees 22 minutes 02 seconds West, a distance of 40.00 feet; thence North 35 degrees 37 minutes 58 seconds West, a distance of 40.00 feet to said point of beginning.

Said tract contains 1,600 square feet (0.040 acres), more or less.



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

A handwritten signature in black ink, appearing to read "Kurt M. Kisch", located below the certification text.



## Cass County Planning Commission Staff Report

<b>Entitlements Requested:</b>	<b>Minor Subdivision (1 Lot)</b> of a part of the N ½ of Section 35, Township 137 North, Range 50 West		
<b>Title:</b>	<b>Carpenter’s Subdivision</b>	<b>Date:</b>	03/27/25
<b>Location:</b>	N ½ of Section 35, Township 137 North, Range 50 West (Normanna Township)	<b>Staff Contact:</b>	Cole Hansen
<b>Parcel Number:</b>	55-0000-09840-030	<b>Water District:</b>	Maple River Water District
<b>Owner(s)/Applicant:</b>	Jason Carpenter, Owner	<b>Engineer/Surveyor:</b>	Moore Engineering
<b>Status:</b>	Planning Commission Hearing: March 27, 2025		

Existing Land Use	Proposed Land Use
Residential	Residential
Proposal	

The applicant is seeking approval of a minor subdivision entitled **Carpenter’s Subdivision** to plat a one (1) Lot subdivision of approximately 11 acres. According to the applicant, the subdivision is requested to plat a lot for the building of a new home.

The proposed ownership and maintenance responsibility of the subdivision will be private. The subdivision will use 53<sup>rd</sup> St SE for road access, ditches for storm sewer conveyance, rural water. The property currently does not have a licensed on-site septic system for wastewater treatment.

Agency Comments	
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**Staff Analysis**

*Land Use and Surrounding Uses*  
 The subject property is bound by agricultural production land on the north, south, west, and east sides of the lot. 53<sup>rd</sup> St SE borders the north of the property.

*Floodzone*  
 According to the FEMA Flood Map Service Center, this property is currently mapped with no Special Hazard Flood Area being 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**

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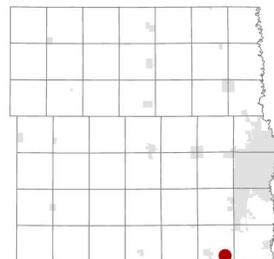
# Minor Subdivision

## Carpenter's Subdivision

Section 35, Normanna Township  
Township 137 North - Range 50 West



Cass County Planning Commission  
February 27, 2025



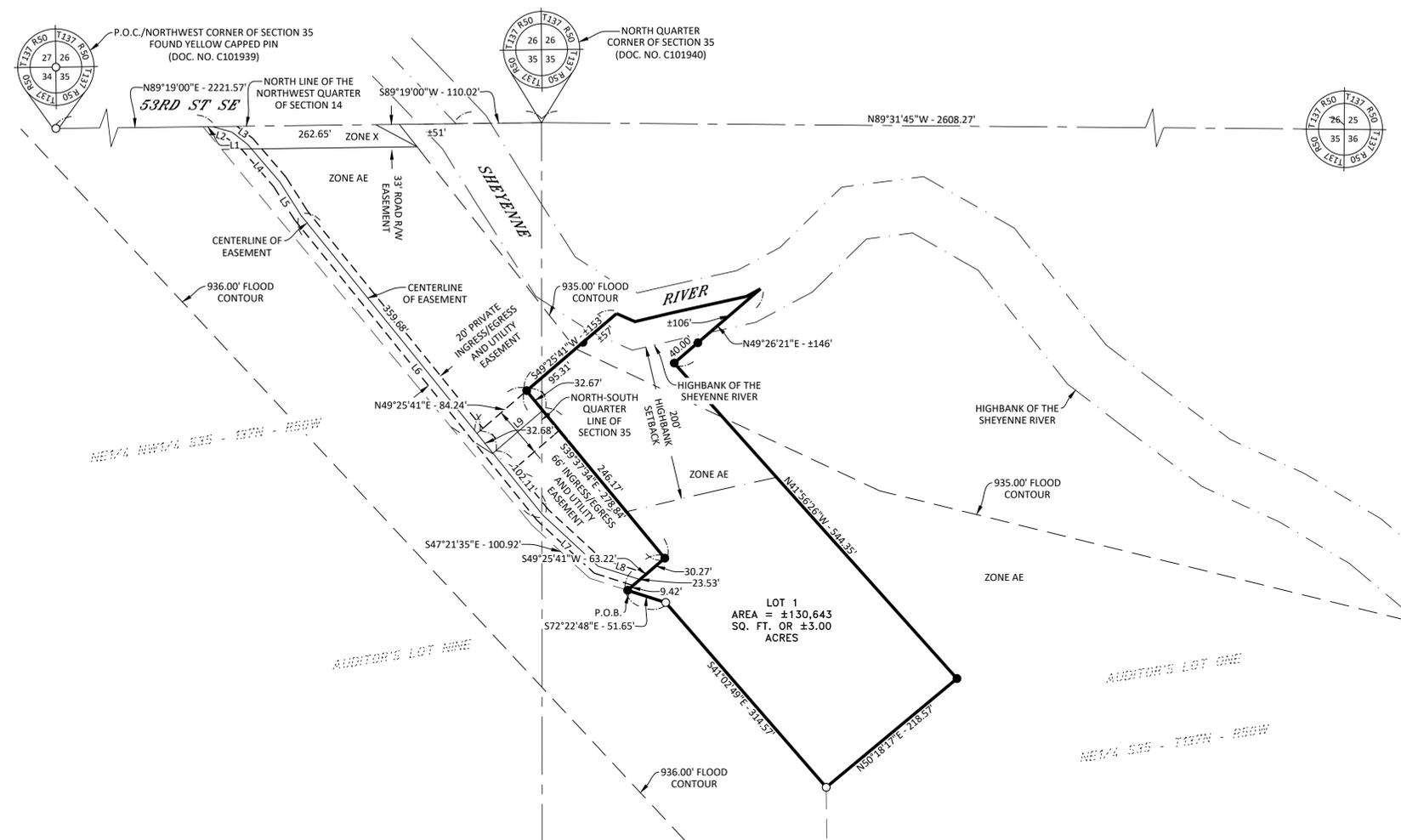
Imagery: NAIP, summer/fall 2023

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# CARPENTER'S SUBDIVISION

THAT PART OF AUDITOR'S LOT ONE OF THE NORTHEAST QUARTER AND THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, OF SECTION THIRTY-FIVE, TOWNSHIP ONE HUNDRED THIRTY-SEVEN NORTH, RANGE FIFTY WEST OF THE FIFTH PRINCIPAL MERIDIAN COUNTY OF CASS, STATE OF NORTH DAKOTA



## OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, CARPCO, INC., IS THE OWNER OF THAT PART OF AUDITOR'S LOT ONE OF THE NORTHEAST QUARTER, AND THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, OF SECTION THIRTY-FIVE, TOWNSHIP ONE HUNDRED THIRTY-SEVEN NORTH, RANGE FIFTY WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE COUNTY OF CASS AND THE STATE OF NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTHWEST CORNER OF SAID SECTION 35; THENCE N89°19'00"E, ASSUMED BEARING, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35 A DISTANCE OF 2221.57 FEET; THENCE S74°07'02"E A DISTANCE OF 25.74 FEET; THENCE S52°20'40"E A DISTANCE OF 25.54 FEET; THENCE S40°42'37"E A DISTANCE OF 63.90 FEET; THENCE S32°31'06"E A DISTANCE OF 50.96 FEET; THENCE S38°58'13"E A DISTANCE OF 359.68 FEET; THENCE N49°25'41"E A DISTANCE OF 84.24 FEET TO THE POINT OF BEGINNING; THENCE S39°37'34"E A DISTANCE OF 278.84 FEET; THENCE S49°25'41"W A DISTANCE OF 63.22 FEET; THENCE S72°22'48"E A DISTANCE OF 51.65 FEET; THENCE S41°02'49"E A DISTANCE OF 314.57 FEET; THENCE N50°18'17"E A DISTANCE OF 218.57 FEET; THENCE N41°56'26"W A DISTANCE OF 544.35 FEET; THENCE N49°26'21"E A DISTANCE OF 146 FEET; MORE OR LESS TO THE CENTERLINE OF THE SHEYENNE RIVER; THENCE WESTERLY AND NORTHERLY ALONG SAID CENTERLINE A DISTANCE OF 193 FEET, MORE OR LESS, TO THE INTERSECTION OF A LINE BEARING N49°25'41"E FROM THE POINT OF BEGINNING; THENCE S49°25'41"W A DISTANCE OF 153 FEET, MORE OR LESS, 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 CARPENTER'S SUBDIVISION TO THE COUNTY OF CASS, STATE OF NORTH DAKOTA. SAID OWNER ALSO HEREBY DEDICATES AND CONVEYS THE 20 FOOT AND 66 FOOT PRIVATE INGRESS/EGRESS AND UTILITY EASEMENTS SHOWN HEREON TO THE BENEFIT OF LOT 1. SAID CARPENTER'S SUBDIVISION, CONSISTS OF ONE LOT AND ONE BLOCK, AND CONTAINS 3.00 ACRES, MORE OR LESS, TOGETHER WITH EASEMENTS AND RIGHT OF WAYS OF RECORD.

BY: \_\_\_\_\_  
JASON CARPENTER, PRESIDENT  
CARPCO, INC.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JASON CARPENTER, PRESIDENT OF CARPCO, INC., 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: \_\_\_\_\_

## SURVEYOR'S 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 CARPENTER'S 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 \_\_\_\_\_, 2025.

COLE A. NESET,  
REGISTERED LAND SURVEYOR  
LS-7513

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, 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

### CASS COUNTY ENGINEER'S APPROVAL

REVIEWED BY THE CASS COUNTY ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
KYLE LITCHY, COUNTY ENGINEER

### CASS COUNTY BOARD OF COMMISSIONER'S APPROVAL

REVIEWED BY CASS COUNTY, NORTH DAKOTA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
TONY GRINDBERG, CHAIRMAN  
ATTEST: \_\_\_\_\_  
BRANDY MADRIGGA, CASS COUNTY FINANCIAL DIRECTOR

### CASS COUNTY PLANNING COMMISSION

REVIEWED BY THE CASS COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
KEN LOUGHEED, CHAIRMAN

ATTEST: \_\_\_\_\_  
SECRETARY

### NORMANA TOWNSHIP APPROVAL

REVIEWED BY NORMANA TOWNSHIP, CASS COUNTY, NORTH DAKOTA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
BRANDON KUB, CHAIRMAN  
ATTEST: \_\_\_\_\_  
CURTIS LESLIE, CLERK

## LEGEND

- MONUMENT SET
- MONUMENT FOUND
- P.O.C.
- P.O.B.
- EX. PROPERTY LINE
- EX. SECTION LINE
- EX. PROPERTY BOUNDARY LINE
- EX. EASEMENT
- NEW ROW/PROPERTY LINE
- NEW EASEMENT LINE

## NOTES

- THE BASE FLOOD ELEVATION FOR THE SUBJECT PARCELS VARIES BETWEEN 935.00' AND 936.00' BASED ON FIRM PANEL 3802640010B.
- NO DIGITAL DATA WAS AVAILABLE FOR THE SUBJECT AREA. THE FLOOD ZONES AND FLOOD CONTOURS WERE DRAWN IN FROM THE FIRM PANEL TO THE BEST OF THE SURVEYOR'S ABILITIES.

## EASEMENT LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°19'00"E	12.35'
L2	S74°07'02"E	25.74'
L3	S52°20'40"E	25.54'
L4	S40°42'37"E	63.90'
L5	S32°21'06"E	50.96'
L6	S38°58'13"E	494.47'
L7	S47°21'35"E	100.92'
L8	S72°22'48"E	56.28'
L9	N49°25'41"E	84.37'



BASIS OF BEARING: NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 35 - N89°19'00"E

FOR RECORDING PURPOSES ONLY

