



West Fargo City Commission Meeting  
Monday, July 1, 2019  
Commission Chambers 5:30 PM

- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – June 17, 2019 **(Pg 2-5)**
- D. Building Permits

**Consent Agenda – Approve the Following:**

- a. Bills **(Pg 6-15)**
- b. Games of Chance for the American Legion Department of North Dakota. Games to be conducted: Raffle on 9/11/19 at the American Legion Department of ND Office, 405 West Main Ave, Suite 4a **(Pg 16)**
- c. Games of Chance for the Nativity Knights of Columbus. Games to be conducted: Raffle, Raffle Board on 9/28/19 at the Speedway Event Center, 680 Main Ave W **(Pg 17-18)**
- d. Games of Chance for the American Foundation of Suicide Prevention. Games to be conducted: Calendar Raffle from 7/20/19 to 8/31/19 at Spicy Pie, 745 31<sup>st</sup> Ave E #110 **(Pg 19)**
- e. Pledging of Assets **(Pg 20)**

**Regular Agenda**

- 1. 5:30pm Public Hearing and First Reading on Highland Meadows 4<sup>th</sup> and 5<sup>th</sup> Replat and Rezoning – **Tim Solberg (Pg 21-28)**
- 2. Review Conditional Use Permit for 906 19<sup>th</sup> Ave NW – **Tim Solberg (Pg 29-38)**
- 3. Final Plat Approval of Schatz Ranch 1<sup>st</sup> Addition, 4812 Sheyenne Street – **Tim Solberg (Pg 39-58)**
- 4. Final Plat Approval of Goldenwood 6<sup>th</sup> Addition – **Tim Solberg (Pg 59-64)**
- 5. Review Bid Results and Engineer's Statement of Cost for Street Improvement District No. 2254 – **Dustin Scott (Pg 65-71)**
- 6. Construction Updates – **Dustin Scott**
- 7. City Administrator's Report – **Tina Fisk**
- 8. Correspondence
- 9. Non-Agenda
- 10. Adjourn



West Fargo City Commission Meeting  
Monday June 17, 2019  
Commission Chambers 5:30 PM

The West Fargo City Commission met on Monday June 17, 2019, at 5:30 pm. Those present were Mike Thorstad, Eric Gjerdevig, Bernie Dardis, Brad Olson, and Mark Simmons. The President of the Board Bernie Dardis called the meeting to order.

The Pledge of Allegiance was recited.

Commissioner Dardis advised that Consent Agenda Item 'd' would be moved to the Regular Agenda for discussion, Consent Agenda Item 'l' would be removed from the agenda and Items 'r,' 's,' and 't,' would be added to the Consent Agenda. Commissioner Olson moved and Commissioner Gjerdevig seconded to approve the Order of Agenda as amended. No opposition. Motion carried.

Commissioner Gjerdevig moved and Commissioner Olson seconded to approve the minutes of June 3, 2019. No opposition. Motion carried.

The Commission reviewed the Building Department Activity Report dated June 3, 2019 and Building Permits #274-322. Commissioner Olson moved and Commissioner Gjerdevig seconded to approve the Building Permits as presented. No opposition. Motion carried.

Commissioner Gjerdevig moved and Commissioner Thorstad seconded to approve the following items from the Consent Agenda:

- a. Bills
- b. Authorize Advertisement of Bid Documents for construction ow Water Improvement Project No. 1312 – Phase II
- c. Schedule a Public Hearing on the rezoning of Highland Meadows 4<sup>th</sup> and 5<sup>th</sup> at 5:30pm on Monday, July 1, 2019
- d. **Second Reading of Ordinance No. 1121**
- e. Gaming Site Authorization for Prairie Public Broadcasting, Inc. Games to be conducted: Bingo, Raffles, Pull Tab Dispensing Device, and Electronic Pull Tab Device at Flatland Brewery LLC, 3140 Bluestem Drive #105
- f. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, Poker, Paddlewheel Table, and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at Rookies, 715 13 Ave E
- g. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, and Paddlewheels with Tickets from 5/1/19 to 6/30/19 at Blarney Stone Pub, 1910 9 St E

- h. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at Blarney Stone Pub, 1910 9 St E
- i. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at Pubwest, 3140 Bluestem Drive
- j. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at Brewtus Brickhouse, 635 32 Ave E, Unit 108
- k. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles, Pull Tab Jar, Pull Tab Dispensing Device, Electronic Pull Tab Device, Sports Pools, Twenty-One, Poker, Paddlewheel Table, Prize Board Dispensing Device, and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at M&J Saloon, 817 W Main Avenue
- l. Gaming Site Authorization for the West Fargo Hockey Association. Games to be conducted: Raffles and Paddlewheels with Tickets from 7/1/19 to 6/30/20 at the Red River Valley Fairgrounds, 1805 Main Ave
- m. Gaming Site Authorization for the Arthur W. Jones VFW Post 7564. Games to be conducted: Bingo, Electronic Quick Shot Bingo, Raffles, Pull Tab Jar, Electronic Pull Tab Device, Seal Board, Prize Board, Sports Pools, Twenty-One, Poker, and Paddlewheels with Tickets at the Arthur W. Jones VFW Post 7564, 444 Sheyenne Street, #1
- n. Gaming Site Authorization for Fraser LTD. Games to be conducted: Electronic Pull Tab Device from 6/18/19 to 6/30/20 at Awake Lounge, 1410 9 St E #501
- o. Games of Chance for North Dakota Autism Center, Inc. Games to be conducted: Raffle on 9/7/19 at Elmwood Park, 500 13 Ave W
- p. Games of Chance for North Dakota Autism Center, Inc. Games to be conducted: Raffle on 6/21/19 at Three Lyons Pub, 675 13 Ave E
- q. Request for Public Liquor Consumption for 2019 Toppers Car Club West Fargo Cruise Nights
- r. Resolution Approving Contract and Contractor's Bond in Sewer, water, Storm and Street Improvement District No. 1321
- s. Resolution Approving Contract and Contractor's Bond in Sewer, water, Storm and Street Improvement District No. 1323
- t. Resolution Approving Contract and Contractor's Bond in Sewer, water, Storm and Street Improvement District No. 4063

No opposition. Motion carried.

Paul Tucci with Oppidan Construction appeared before the Commission to provide an update on the Oppidan construction site, which was finished on Friday, June 14<sup>th</sup>. No action was requested of the Commission.

Code Enforcement Officer/Emergency Preparedness Manager Pierre Freeman appeared before the Commission to present the 2019 Spring Report for Code Enforcement and Emergency Preparedness. No action was requested of the Commission.

Planning & Zoning Director Tim Solberg appeared before the Commission for a Second Reading of the Rezoning from A: Agricultural to C-OP: Commercial Office Park at 310 24<sup>th</sup> Avenue East. After discussion, Commissioner Thorstad moved and Commissioner Gjerdevig seconded to approve the Second Reading. No opposition. Motion carried.

Economic Development Specialist Callie Roth appeared before the Commission to review an Enterprise Grant Application for Thunder Coffee. Owners Skyler Dutton, Nicole Dutton and Dexter Dutton appeared before the Commission to give a presentation on Thunder Coffee. After discussion, Commissioner Olson moved and Commissioner Gjerdevig seconded to approve the Enterprise Grant Application for Thunder Coffee for \$75,000. No opposition. Motion carried.

Economic Development Specialist Callie Roth appeared before the Commission for an Enterprise Grant Revision Request. After discussion, Commissioner Gjerdevig moved and Commissioner Olson seconded to approve the Enterprise Grant Revision Request as presented. No opposition. Motion carried.

West Fargo resident Deanne Schatz and attorney Jim Bullis appeared before the Commission for a discussion of the property at 4812 Sheyenne Street. After discussion, Commissioner Simmons moved and Commissioner Olson seconded to table the discussion until staff had a chance to discuss with Ms. Schatz. No opposition. Motion carried.

Todd Berning, Epic Management, appeared before the Commission to provide an update on the Sheyenne 32 project. No action was requested of the Commission.

City Engineer Dustin Scott appeared before the Commission to provide an update on construction projects. No action was requested of the Commission.

City Administrator Tina Fisk appeared before the Commission and presented the following for the City Administrator's Report:

- Supervisor Training 6/18 1nd 6/19
  - i. @ Dale Carnegie
  - ii. All day Tuesday, half day Wednesday
- Starting 6/19 - 801 22 Ave W
  - i. Blitz build for Habitat for Humanity
  - ii. 6/22 @ 7pm Blitz Block Party
- 6/29 at 9am home dedication
- 6/27 4-7pm CVB North of Normal Mixer
  - i. FM Visitors Center
- Econ Development Director position posting closes 6/21
- 6/27 from 11-1 brown bag lunch discussions
  - i. Off premise signage discussions
    - 1. All Commissioners invited
    - 2. No action will be taken at meeting
    - 3. Lunch will be provided
- Jim and Tina working w/ department heads on budget meetings
  - i. Present first draft of budget at 7/1 meeting

City Attorney John Shockley appeared before the Commission for the Second Reading of Ordinance No, 1121, Lodging Tax. After discussion, Commissioner Simmons moved and Commissioner Olson seconded to approve the Second Reading of Ordinance No. 1121. No opposition. Motion carried.

There was no correspondence.

There were no non-agenda items.

Commissioner Simmons moved and Commissioner Olson seconded to adjourn the meeting. No opposition. Meeting adjourned.

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Bernie Dardis, Commission President

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Tina Fisk, City Administrator

# Consent Agenda Item: a

06/18/19  
15:50:24

CITY OF WEST FARGO, ND  
Check Register  
For the Accounting Period: 6/19

Page: 1 of 10  
Report ID: AP300

## Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
82902	S	489 3-D SPECIALITIES	466.14	06/18/19		CL 85438	69.00
						CL 85524	397.14
82903	S	289 ACME TOOLS	445.28	06/18/19		CL 85451	22.86
						CL 85465	305.99
						CL 85600	116.43
82904	S	2947 ALLSTATE PETERBILT OF FARGO	94.78	06/18/19		CL 85435	59.74
						CL 85515	35.04
82905	S	2950 ALPHA TRAINING & TACTICS LLC & SALES	1846.00	06/18/19		CL 85583	1846.00
82906	S	317 AMERICAN WELDING & GAS, INC.	197.67	06/18/19		CL 85444	158.69
						CL 85602	38.98
82907	S	3110 APRIL WALKER	150.00	06/18/19		CL 85627	150.00
82908	S	1069 BAKER GARDEN & GIFT	1469.91	06/18/19		CL 85431	1399.92
						CL 85514	69.99
82909	S	43 BATTERIESPLUS c/o Bat 34 Inc	951.87	06/18/19		CL 85406	951.87
82910	S	1403 BLUE TARP FINANCIAL, INC	64.48	06/18/19		CL 85564	64.48
82911	S	2704 BRAD'S COFFEE SERVICE	174.00	06/18/19		CL 85489	174.00
82912	S	999999 BRANDI RICHART	190.00	06/18/19		CL 85570	190.00
82913	S	73 BRAUN INTERTEC	643.00	06/18/19		CL 85546	643.00
82914	S	652 BRENCO CORPORATION	1107.35	06/18/19		CL 85460	1037.35
						CL 85510	70.00
82915	S	16 BROKERAGE PRINTING	736.06	06/18/19		CL 85423	185.00
						CL 85428	52.50
						CL 85589	498.56
82916	S	351 BUSINESS ESSENTIALS	404.70	06/18/19		CL 85400	12.10
						CL 85468	95.41
						CL 85559	193.12
						CL 85639	104.07
82917	S	3081 CALLIE ROTH	210.64	06/18/19		CL 85374	67.55
						CL 85547	143.09
82918	C S	51 CASS COUNTY ELECTRIC COOP	0.00	06/18/19		CL 85504	
						CL 85637	

Claim Checks

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82919	*	S 46 CASS RURAL WATER USERS	29.05	06/18/19			
						CL 85585	29.05
82920	S	2909 CC STEEL LLC	94498.01	06/18/19			
						CL 85491	94498.01
82921	S	1512 CDW GOVERNMENT, INC	2846.68	06/18/19			
						CL 85376	2846.68
82922	S	1074 CENTER UPHOLSTERY & CANVAS REPAIR	175.00	06/18/19			
						CL 85525	175.00
82923	S	56 CENTRE, INC.	370.00	06/18/19			
						CL 85494	370.00
82924	S	1777 CENTURY LINK	224.54	06/18/19			
						CL 85584	224.54
82925	S	3407 CENTURYLINK/DAMAGE CLAIMS	2312.42	06/18/19			
						CL 85496	2312.42
82926	S	52 CHIEF SUPPLY COMPANY	243.49	06/18/19			
						CL 85415	243.49
82927	S	3216 CINTAS	89.33	06/18/19			
						CL 85448	89.33
82928	S	111 CITY OF FARGO	80204.20	06/18/19			
						CL 85429	45703.34
						CL 85437	648.00
						CL 85518	32082.36
						CL 85541	1770.50
82929	S	2880 CITY OF FARGO	260276.80	06/18/19			
						CL 85592	16.80
						CL 85642	260260.00
82930	S	1338 CLARK'S EXCAVATING & SEPTIC PUMPING	175.00	06/18/19			
						CL 85500	175.00
82931	S	1904 CODE 4 SERVICES, INC	7515.18	06/18/19			
						CL 85381	3914.00
						CL 85553	3601.18
82932	S	229 CONSOLIDATED COMMUNICATIONS	1520.72	06/18/19			
						CL 85473	1520.72
82933	S	3245 CORE & MAIN	4356.96	06/18/19			
						CL 85436	124.55
						CL 85560	3836.52
						CL 85601	395.89
82934	S	2403 CRAIG DANIELSON	116.25	06/18/19			
						CL 85379	116.25
82935	S	1633 CROWN TROPHY	40.45	06/18/19			
						CL 85646	40.45
82936	S	182 DAKOTA AG COOPERATIVE - DIV OF CHS INC	1388.75	06/18/19			
						CL 85539	1388.75
82937	S	1675 DAKOTA FLUID POWER, INC	155.33	06/18/19			
						CL 85407	155.33
82938	S	79 DAKOTA HOSE & EQUIP	131.30	06/18/19			
						CL 85410	131.30

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
82939	S	87 DAKOTA TIRE	215.00	06/18/19			
82940	S	90 DAKOTA UNDERGROUND	511856.24	06/18/19		CL 85538	215.00
82941	S	912 DAKOTA WHOLESALE TIRE	390.76	06/18/19		CL 85593	56904.93
82942	S	999999 DALE TRETTER	300.00	06/18/19		CL 85603	454951.31
82943	S	856 DAVE'S WEST FARGO TIRE	282.00	06/18/19		CL 85536	390.76
82944	S	2813 DAVID GUST	90.00	06/18/19		CL 85579	300.00
82945	S	2948 DELTA 54 AVIATION LLC	3300.00	06/18/19		CL 85384	119.63
82946	S	807 DISCOVERY BENEFITS, INC.	525.75	06/18/19		CL 85551	162.37
82947	S	3404 DUANE DUBE	387.00	06/18/19		CL 85621	90.00
82948	S	2100 EAGLE RUN CROSSING LLC	523.84	06/18/19		CL 85503	3300.00
82949	S	999999 EEVA WENDORF	300.00	06/18/19		CL 85427	525.75
82950	S	1502 EIDE BAILLY	787.50	06/18/19		CL 85557	387.00
82951	S	3207 ELLEN ROSSOW	14.96	06/18/19		CL 85402	523.84
82952	S	3410 ENGRAPHIX	70.41	06/18/19		CL 85574	300.00
82953	S	877 ENVIRONMENTAL TOXICITY CONTROL INC.	850.00	06/18/19		CL 85398	787.50
82954	S	3240 ERIC DODDS	90.00	06/18/19		CL 85501	14.96
82955	S	2862 ESSENTIA HEALTH	1107.00	06/18/19		CL 85499	70.41
82956	S	140 F-M AMBULANCE SERVICE	420.00	06/18/19		CL 85540	850.00
82957	S	1851 F/S MANUFACTURING INC	46.98	06/18/19		CL 85620	90.00
82958	S	3344 FACTORY MOTOR PARTS	270.42	06/18/19		CL 85481	592.00
82959	S	979 FARGO LINE-X	495.00	06/18/19		CL 85629	515.00
82960	S	728 FARNAM'S GENUINE PARTS, INC	9.06	06/18/19		CL 85554	420.00
						CL 85511	46.98
						CL 85535	270.42
						CL 85470	495.00
						CL 85534	9.06

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82961	S	1648 FARSTAD OIL, INC	96.25	06/18/19			
82962	S	329 FERGUSON WATERWORKS #2516	1305.92	06/18/19		CL 85530	96.25
82963	S	999999 FLAME OF FAITH CHURCH	309.00	06/18/19		CL 85458 CL 85561	541.46 764.46
82964	S	104 FORUM COMMUNICATIONS	786.73	06/18/19		CL 85375	309.00
82965	S	3063 FRONTLINE PLUS FIRE & RESCUE	4000.00	06/18/19		CL 85414 CL 85476	524.00 262.73
82966	S	155 GALLS, LLC	1819.51	06/18/19		CL 85608	4000.00
82967	S	2274 GAMES GALORE	400.00	06/18/19		CL 85392 CL 85543	1424.51 395.00
82968	S	999999 GARY MANSKE	300.00	06/18/19		CL 85479	400.00
82969	S	2123 GLADEN CONSTRUCTION, INC	17902.26	06/18/19		CL 85576	300.00
82970	S	2904 GLASS DOCTOR-FARGO	65.00	06/18/19		CL 85545	17902.26
82971	S	2558 GOODYEAR COMMERCIAL TIRE	1488.05	06/18/19		CL 85457	65.00
82972	S	2877 GREATAMERICA FINANCIAL SERVICES	704.51	06/18/19		CL 85411 CL 85513	18.95 1469.10
82973	S	2713 HAMPTON INN & SUITES	1455.12	06/18/19		CL 85640	704.51
82974	S	135 HAWKINS WTR TREATMENT	4052.24	06/18/19		CL 85386	1455.12
82975	S	999999 HS INVESTMENTS	300.00	06/18/19		CL 85418	4052.24
82976	S	999999 HS INVESTMENTS	300.00	06/18/19		CL 85577	300.00
82977	S	687 INFORMATION TECHNOLOGY DEPT	664.05	06/18/19		CL 85578	300.00
82978	S	233 J & L SPORTS	146.96	06/18/19		CL 85399	664.05
82979	S	3264 J. CHAD PROFESSIONAL TRAINING, LLC	2472.83	06/18/19		CL 85382 CL 85439	96.97 49.99
82980	S	2872 JANA REINKE	60.00	06/18/19		CL 85390	2472.83
82981	S	3413 JIM JOHNSON CONSTRUCTION	30.70	06/18/19		CL 85626	60.00
						CL 85619	30.70

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82982	S	2747 JOE KOLB	150.00	06/18/19			
82983	S	2798 JOHNSON CONTROLS	2383.20	06/18/19		CL 85623	150.00
82984	S	999999 JONATHAN BACH	190.00	06/18/19		CL 85533	2383.20
82985	S	2752 KOST MATERIALS, LLC	1679.00	06/18/19		CL 85568	190.00
82986	S	270 LOWE'S	565.89	06/18/19		CL 85443 CL 85528	827.00 852.00
82987	S	711 LUTHER FAMILY FORD	976.16	06/18/19		CL 85452	565.89
82988	S	961 M.O.C.I.C	675.00	06/18/19		CL 85445 CL 85507 CL 85611	446.71 339.70 189.75
82989	S	3304 MAC'S - FARGO	188.87	06/18/19		CL 85490	675.00
82990	S	2454 MAGNUM ELECTRIC	4273.06	06/18/19		CL 85442 CL 85512 CL 85594	21.05 50.08 117.74
82991	S	3384 MATHESON TRI-GAS INC	45.30	06/18/19		CL 85558	4273.06
82992	S	3119 MATT RETKA	50.00	06/18/19		CL 85531 CL 85598	17.80 27.50
82993	S	3322 MEGAN HUFFMAN	120.00	06/18/19		CL 85502	50.00
82994	S	299 MENARDS	475.44	06/18/19		CL 85622	120.00
82995	S	2766 MIDCONTINENT COMMUNICATIONS	330.00	06/18/19		CL 85464 CL 85617	375.61 99.83
82996	S	102 MIDSTATES WIRELESS	95.00	06/18/19		CL 85387 CL 85447	205.00 125.00
82997	S	908 MILES ORTH	327.56	06/18/19		CL 85424	95.00
82998	S	2121 MOEN PORTABLE TOILETS	161.00	06/18/19		CL 85378	327.56
82999	S	305 MOORE ENGINEERING	792095.46	06/18/19		CL 85498	161.00
83000	S	999999 NATHAN FINNEMAN	300.00	06/18/19		CL 85492 CL 85552 CL 85634	58000.00 634095.46 100000.00
						CL 85572	300.00

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83001	S	1022 ND DEPT OF HEALTH	894.52	06/18/19			
83002	S	335 ND DEPT OF TRANSPORTATION	1530864.23	06/18/19		CL 85542	894.52
83003	S	370 ND SAFETY COUNCIL	7971.18	06/18/19		CL 85495 CL 85497	76664.86 1454199.37
83004	S	756 NELCO FIRST AID	198.15	06/18/19		CL 85425	7971.18
83005	S	364 NELSON INTERNATIONAL	1736.40	06/18/19		CL 85449	198.15
83006	S	271 NETCENTER TECHNOLOGIES	4231.92	06/18/19		CL 85526 CL 85614	1631.62 104.78
83007	S	3301 NEWMAN	25770.00	06/18/19		CL 85544	4231.92
83008	S	2523 NEXUS INNOVATIONS, INC	4500.00	06/18/19		CL 85395	25770.00
83009	S	141 NORTH STAR SAFETY, INC	346.14	06/18/19		CL 85430	4500.00
83010	S	348 NORTHERN IMPROVEMENT CO	299984.18	06/18/19		CL 85419 CL 85529	2.12 344.02
83011	S	1350 NORTHWEST SCALE, INC	675.00	06/18/19		CL 85597 CL 85605	219276.10 80708.08
83012	S	1715 NORTHWEST TIRE INC	475.40	06/18/19		CL 85441	675.00
83013	S	322 NOVA FIRE PROTECTION	63.00	06/18/19		CL 85433	475.40
83014	S	753 O'DAY EQUIPMENT	1609.13	06/18/19		CL 85606	63.00
83015	S	1774 O'REILLY AUTOMOTIVE STORES, INC	1977.73	06/18/19		CL 85432	1609.13
83016	S	353 OHNSTAD TWICHELL	63584.19	06/18/19		CL 85463	1977.73
83017	S	3255 OLSEN CHAIN & CABLE, INC	33.60	06/18/19		CL 85519 CL 85520	10791.15 52793.04
83018	S	399 OLYMPIC SALES	671.47	06/18/19		CL 85467	33.60
83019	S	631 ONE CALL CONCEPT	1132.80	06/18/19		CL 85440	671.47
83020	S	276 OSTROMS ACE HARDWARE	215.99	06/18/19		CL 85420	1132.80
83021	S	999999 PATRICK CONROY	300.00	06/18/19		CL 85454 CL 85485	112.12 103.87
						CL 85573	300.00

06/18/19  
15:50:24

CITY OF WEST FARGO, ND  
Check Register  
For the Accounting Period: 6/19

Page: 7 of 10  
Report ID: AP300

Claim Checks

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83022	S	563 PETRO SERVE USA	33579.40	06/18/19		CL 85403 CL 85595	3193.51 30385.89
83023	S	1987 PETSMAST	63.95	06/18/19		CL 85486	63.95
83024	S	3180 PHOENIX FABRICATORS AND ERECTORS	48128.44	06/18/19		CL 85599	48128.44
83025	S	384 PITNEY BOWES	764.25	06/18/19		CL 85401 CL 85416	345.03 419.22
83026	S	764 POLYGRAPH SERVICES - ROLLIE RUST	875.00	06/18/19		CL 85588	875.00
83027	S	411 POWER PLAN OIB	96.71	06/18/19		CL 85466 CL 85612	94.90 1.81
83028	S	3391 PPI CONSULTING	950.00	06/18/19		CL 85385	950.00
83029	S	916 PRAIRIE SUPPLY INC	193.94	06/18/19		CL 85409 CL 85556	50.44 143.50
83030	S	1295 PRO-WEST & ASSOCIATES, INC	464.00	06/18/19		CL 85474	464.00
83031	S	1166 PRODUCTIVITY PLUS ACCOUNT	1837.32	06/18/19		CL 85471 CL 85596	904.62 932.70
83032	S	1085 PROGRESSIVE BUSINESS PUBLICATIONS	432.00	06/18/19		CL 85459	432.00
83033	S	2992 PUKLICH	31689.00	06/18/19		CL 85615	31689.00
83034	S	1128 R & R PETROLEUM EQUIPMENT	3223.00	06/18/19		CL 85527	3223.00
83035	S	1472 RAILROAD MANAGEMENT CO III, LLC	235.41	06/18/19		CL 85523	235.41
83036	S	3204 RECORD KEEPERS	16.00	06/18/19		CL 85396	16.00
83037	S	999999 RELENTLESS LLC DBA DESERT SNOW	1198.00	06/18/19		CL 85388	1198.00
83038	S	3408 REUBEN'S MACHINE INC	170.00	06/18/19		CL 85493	170.00
83039	S	3412 RIVERBEND HAZELNUTS	180.00	06/18/19		CL 85618	180.00
83040	S	663 ROAD EQUIPMENT PARTS CENTER	356.80	06/18/19		CL 85434 CL 85469	31.60 325.20
83041	S	999999 RYAN DOWNS	300.00	06/18/19		CL 85575	300.00
83042	S	2291 RYAN WUOLLET	314.00	06/18/19		CL 85484	314.00

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83043	S	452 SAM'S CLUB	511.24	06/18/19			
83044	S	454 SANITATION PRODUCTS	6006.74	06/18/19		CL 85628	511.24
83045	S	450 SCHEELS	155.00	06/18/19		CL 85408	604.73
83046	S	2728 SCOTT TIFFANY	240.00	06/18/19		CL 85609	5402.01
83047	S	2873 SHANE LEBAHN	90.00	06/18/19		CL 85422	155.00
83048	S	459 SHERWIN WILLIAMS	582.41	06/18/19		CL 85450	240.00
83049	S	2885 SHORTPRINTER	640.16	06/18/19		CL 85624	90.00
83050	S	438 SHOTWELLS	969.00	06/18/19		CL 85616	582.41
83051	S	3150 SKYHAWK TELEMATICS	292.00	06/18/19		CL 85394	640.16
83052	S	38 STRATA CORPORATION	938.76	06/18/19		CL 85532	969.00
83053	S	88 STREICHER'S	258.89	06/18/19		CL 85461	292.00
83054	S	31 STURDEVANT'S AUTO PARTS	252.11	06/18/19		CL 85453	938.76
83055	S	733 SWANSTON EQUIPMENT CORP.	1594.97	06/18/19		CL 85389	258.89
83056	S	1225 T.R.S. INDUSTRIES, INC	30.00	06/18/19		CL 85537	252.11
83057	S	999999 TENTS & EVENTS RENTALL INC	577.19	06/18/19		CL 85404	1594.97
83058	S	1156 TESSMAN	1203.74	06/18/19		CL 85607	30.00
83059	S	1979 THE CHAMBER	370.00	06/18/19		CL 85477	577.19
83060	S	999999 THE HABERDASHERY LLC	227.75	06/18/19		CL 85405	1073.74
83061	S	1900 THE UPS STORE #5998	38.95	06/18/19		CL 85604	130.00
83062	S	3411 THE UPS STORE #6740	21.02	06/18/19		CL 85549	90.00
83063	S	999999 TIANTIAN CHEN	190.00	06/18/19		CL 85550	280.00
83064	S	812 TIM RUNCORN	367.85	06/18/19		CL 85555	227.75
						CL 85565	38.95
						CL 85613	21.02
						CL 85569	190.00
						CL 85377	367.85

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83065	S	2213 TITAN MACHINERY, INC.	19117.80	06/18/19	_____	CL 85521 CL 85522	10265.70 8852.10
83066	S	1674 TOM MCDUGALL	120.00	06/18/19	_____	CL 85625	120.00
83067	S	3001 TRAVIS GENTY	12.44	06/18/19	_____	CL 85426	12.44
83068	S	999999 TWO VETS PROPERTIES	30.00	06/18/19	_____	CL 85505	30.00
83069	S	784 UNITED POWER EQUIPMENT	143.98	06/18/19	_____	CL 85506	143.98
83070	S	2478 VALLI	5803.89	06/18/19	_____	CL 85643 CL 85644	5122.43 681.46
83071	S	1267 VERIZON WIRELESS	91.26	06/18/19	_____	CL 85482	91.26
83072	S	3212 VISA ADMINISTRATION	462.17	06/18/19	_____	CL 85456	462.17
83073	S	2436 VISA FINANCE	684.76	06/18/19	_____	CL 85633	684.76
83074	S	2439 VISA IT	6446.56	06/18/19	_____	CL 85591	6446.56
83075	S	2438 VISA PLANNING	170.00	06/18/19	_____	CL 85587	170.00
83076	S	2435 VISA POLICE #1	904.99	06/18/19	_____	CL 85562	904.99
83077	S	3233 VISA POLICE #2	1715.07	06/18/19	_____	CL 85566	1715.07
83078	S	3234 VISA POLICE #3	232.50	06/18/19	_____	CL 85567	232.50
83079	S	3244 VISA POLICE #4	4148.66	06/18/19	_____	CL 85632	4148.66
83080	S	2423 VISA PW	5946.10	06/18/19	_____	CL 85645	5946.10
83081	S	2740 WASTE MANAGEMENT OF WI-MN	75457.60	06/18/19	_____	CL 85563 CL 85586 CL 85610	5529.62 100.26 69827.72
83082	S	648 WEST FARGO AUTO BODY/GLASS	4256.26	06/18/19	_____	CL 85412 CL 85509	2162.14 2094.12
83083	S	3306 WEST FARGO EVENTS, INC	5000.00	06/18/19	_____	CL 85636	5000.00
83084	S	1040 WEST FARGO EXCHANGE CLUB	241.00	06/18/19	_____	CL 85548	241.00
83085	S	2184 WEST SIDE STEEL	441.90	06/18/19	_____	CL 85472 CL 85508	287.45 154.45

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
83086	S	569 WF ANIMAL HOSPITAL	2611.04	06/18/19			
						CL 85413	2611.04
83087	S	549 WF PUB SCHOOLS DIST #6	642.50	06/18/19			
						CL 85380	605.00
						CL 85483	37.50
83088	S	3022 WINDOW TINT PROS AND AUTOMOTIVE ACCESSOR	640.00	06/18/19			
						CL 85391	300.00
						CL 85480	340.00
83089	S	338 XCEL ENERGY	20185.43	06/18/19			
						CL 85397	1567.94
						CL 85581	121.76
						CL 85582	6815.25
						CL 85638	11680.48
83090	S	999999 ZACHARY LUPTAK	190.00	06/18/19			
						CL 85571	190.00
83091	S	582 ZEP MANUFACTURING	434.99	06/18/19			
						CL 85446	434.99
83092	S	51 CASS COUNTY ELECTRIC COOP	287.91	06/18/19			
						CL 85504	287.91
83093	S	51 CASS COUNTY ELECTRIC COOP	39682.04	06/18/19			
						CL 85637	39682.04
<b>Total for Claim Checks</b>			<b>4115854.21</b>				
Count for Claim Checks			192				

\* denotes missing check number(s)

# of Checks: 192                      Total: 4115854.21



**APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT**

OFFICE OF ATTORNEY GENERAL

SFN 9338 (08/2016)

Application for:  Local Permit \*  Charity Local Permit (one event per year)

Name of Non-profit Organization American Legion Department Of North Dakota	Date(s) of Activity to	For a raffle, provide drawing date(s): 09/11/2019	
Person Responsible for the Gaming Operation and Disbursement of Net Income Ronald Matthews	Title Adjutant	Business Phone Number (701) 293-3120	
Business Address 405 West Main Ave Suite 4a	City West Fargo	State ND	Zip Code 58078
Mailing Address (if different) Po Box 5057	City West Fargo	State ND	Zip Code 58078
Name of Site Where Game(s) will be Conducted American Legion Department of ND Office	Site Address 405 West Main Ave Suite 4a, West Fargo		
City West Fargo	State ND	Zip Code 58078	County Cass
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

**DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED**

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
Raffle-Sweepstake	1st Place Cash	\$2,000.00	Raffle-Sweepstake	10th Place Cash	\$100.00
Raffle-Sweepstake	2nd Place Cash	\$1,000.00			
Raffle-Sweepstake	3rd Place Cash	\$200.00			
Raffle-Sweepstake	4th Place Cash	\$200.00			
Raffle-Sweepstake	5th Place Cash	\$100.00			
Raffle-Sweepstake	6th Place Cash	\$100.00			
Raffle-Sweepstake	7th Place Cash	\$100.00			
Raffle-Sweepstake	8th Place Cash	\$100.00			
Raffle-Sweepstake	9th Place Cash	\$100.00			
<b>Total:</b>					(Limit \$12,000 per year) <b>\$ 4,000.00</b>

**Intended uses of gaming proceeds:** To fund the activities of the American Legion programs which support the local communities, veterans, americanism and children/youth.

Does the organization presently have a state gaming license?  No  Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30?  No  Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30?  No  Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ \_\_\_\_\_. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official <i>Ronald Matthews</i>	Date 6/13/19	Title Adjutant	Business Phone Number (701) 293-3120
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#25-  
AK# 33881  
nd 6/19/19



**APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT**  
 OFFICE OF ATTORNEY GENERAL  
 SFN 9338 (08/2016)

Application for:  Local Permit    \*  Charity Local Permit (one event per year)

Name of Non-profit Organization <b>Nativity Knights Of Columbus</b>	Date(s) of Activity 9/28/2018 to	For a raffle, provide drawing date(s): 9/28/2018	
Person Responsible for the Gaming Operation and Disbursement of Net Income <b>Mike Langseth</b>	Title <i>Sportsman raffle</i>	Business Phone Number (701) 361-1548	
Business Address 1825 11th St S	City Fargo	State ND	Zip Code 58103
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted Speedway Event Center	Site Address 680 Main Ave W		
City West Fargo	State ND	Zip Code 58078	County Cass
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input checked="" type="checkbox"/> Raffle Board <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

**DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED**

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
See attached					
<b>Total:</b>					(Limit \$12,000 per year) \$ 10,000

**Intended uses of gaming proceeds:** Donation to local veterans cause (suicide prevention is one)  
 along with other KC 6570 council charitable works

Does the organization presently have a state gaming license?  No     Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30?  No     Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30?  No     Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ \_\_\_\_\_. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official <i>Michael Langseth</i>	Date 6-17-19	Title Grand Knight	Business Phone Number 701-361-1548
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*\$10.00/cash  
 on 6-17-19*

Game type	Description of prize	retail value of prize
Raffle	Gun	650
Raffle	Gun	500
Raffle	Cash	250
Raffle	Cash	200
Raffle	Cash	150
Raffle	Cash	100
Raffle	Cash	50
Raffle	Cash	250
Raffle	Cash	500
Raffle	Cash	500
Raffle	gun	470
Raffle	gun	430
Raffle	gun	550
Raffle	gun	700
Raffle board	gun	400
Raffle	gun	500
raffle board	gun	950
raffle	General raffle	1250
raffle	Sweets baskets	300

Total 10000

Sweets baskets will have baskets ranging in value of \$20-50 up to the total of dollar amount stated in the vaule.

General raffle will have items ranging in value of \$10-500 up to the total of dollar amount stated in the vaule.



# Consent Agenda Item: e



## Pledging of Securities Collateral May 31, 2019

Bank Accounts	Account #	Bank Balance	FDIC Covered	Amount to be Covered by Pledging	Bank Actual Pledged	Pledged %	Source
<b>1st International Bank</b>							
Money Market Checking		\$250,000.00	\$250,000.00	\$0.00	\$0.00	0%	FDIC
ICS Savings	057	64,385,872.67	64,385,872.67	0.00	0.00	0%	FDIC
<b>Alerus Financial</b>							
Money Market Checking	0005	270,091.60	250,000.00	20,091.60	22,100.76	110%	BND Pledge Pool
ICS Checking	542	0.00	0.00	0.00	0.00	0%	FDIC
ICS MMKT	005	17,152,024.50	17,152,024.50	0.00	0.00	0%	FDIC
Bell State Bank	0239	5,324,546.21	250,000.00	5,074,546.21	6,000,000.00	118%	BND Irrevocable LOC's 6823 & 6800
Blackridge Bank		240,000.00	250,000.00	-10,000.00		0%	FDIC
Choice Financial		10,278,667.78	250,000.00	10,028,667.78	11,031,534.56	110%	BND Pledge Pool
<b>Totals</b>		<b>\$97,901,202.76</b>	<b>\$82,787,897.17</b>	<b>\$15,113,305.59</b>	<b>\$17,053,635.32</b>		

Prepared by: Jim Larson, Finance Director

AGENDA ITEM DESCRIPTION  
CITY COMMISSION  
WEST FARGO, NORTH DAKOTA

Agenda # 1

\*\*\*Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 27, 2019

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Highland Meadows 4<sup>th</sup> & 5<sup>th</sup>, Replat and Rezoning from R-1: One & Two Family Dwellings to R-1SM: Mixed One & Two Family Dwellings.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Lots within Highland Meadows 1st and 3rd Additions, City of West Fargo, North Dakota

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Hold First Reading and Public Hearing on the rezoning at 5:30 pm on July 1, 2019.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A19-24		REPLAT & REZONING
Highland Meadows 4 <sup>th</sup> and Highland Meadows 5 <sup>th</sup>		
Lots 12-15 & 32-41, Block 1 of Highland Meadows 3 <sup>rd</sup> Addition Lots 8 & 9, Block 2; Lots 1-6, Block 3; Lots 1-4 & 15-19, Block 4; Lots 10-17 & 24-26, Block 5 of Highland Meadows 1 <sup>st</sup> Addition		
Applicant: HM Development Company, LLC Owner: HM Development Company, LLC	Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:	06-11-2019	
Public Hearing:	06-11-2019 – Approved	
City Commission Introduction:	06-17-2019	
1 <sup>st</sup> Reading & Public Hearing:	07-01-2019	
2 <sup>nd</sup> Reading & Final Plat Approval		

**PURPOSE:**

Replat lots within a previously subdivided property to provide for lots to be rezoned R-1SM to accommodate mixed one & two family dwellings.

**STATEMENTS OF FACT:**

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	R-1: One & Two Family Dwellings & R-1SM: Mixed One & Two Family Dwellings
Zoning Overlay District(s):	None
Proposed Zoning District(s):	R-1SM: Mixed One and Two-Family Dwellings
Proposed Lot size(s) or range:	Varied - Still in concept
Total area size:	8.22 Acres
Adjacent Zoning Districts:	R-1SM: Mixed One and Two-Family Dwellings; East – A: Agricultural (Sheyenne Diversion)
Adjacent street(s):	Highland Lane West (Local); Barnes Drive West (Local); 11 <sup>th</sup> Street West (Local); 12 <sup>th</sup> Street West (Local); 21 <sup>st</sup> Avenue West (Collector)
Adjacent Bike/Pedestrian Facilities:	Paths along 9 <sup>th</sup> Street West, 21 <sup>st</sup> Avenue West and sidewalks along adjacent streets.
Available Parks/Trail Facilities:	Trail connections to parks in the Brooks Harbor development within ½ mile.
Park Dedication Requirements:	Provided with previous subdivision.

**DISCUSSION AND OBSERVATIONS:**

- The applicant has submitted an application and preliminary plat. In researching the application and discussing with the County Recorder it was determined more appropriate to switch the application into two separate plats to provide for contiguous plats. The application has since been advised to

STAFF REPORT

be for two separate plats – Highland Meadows 4<sup>th</sup> Addition and Highland Meadows 5<sup>th</sup> Addition. In the preliminary plats at this time there are an additional 16 lots being added.

- The applicant proposes to replat existing single-family lots to accommodate a change in zoning to R-1SM: Mixed One & Two Family Dwellings residential development, which would be consistent with the surrounding development patterns.
- The lot adjustments are unique in that the improvements within the existing development are fully complete. Lot line adjustments and increased density will require disruption to the neighborhood, removal and abandonment of connections, and addition of connections for the new lots.
- The proposed rezoning will require at least 20% of the lots to be between 50-60' in width and no more than 30 percent of the lots to be between the widths of 36-40' in width and no more than two lots side by side between those widths.

**NOTICES:**

Sent to: Property owners within 150' and applicable agencies and departments

Comments Received:

- The City Engineer is cognizant of the proposed changes and will require that an updated utility and drainage plan be received to be reviewed and approved prior to consideration by the City Commission.

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The proposed plan is consistent with City plans and Ordinances.

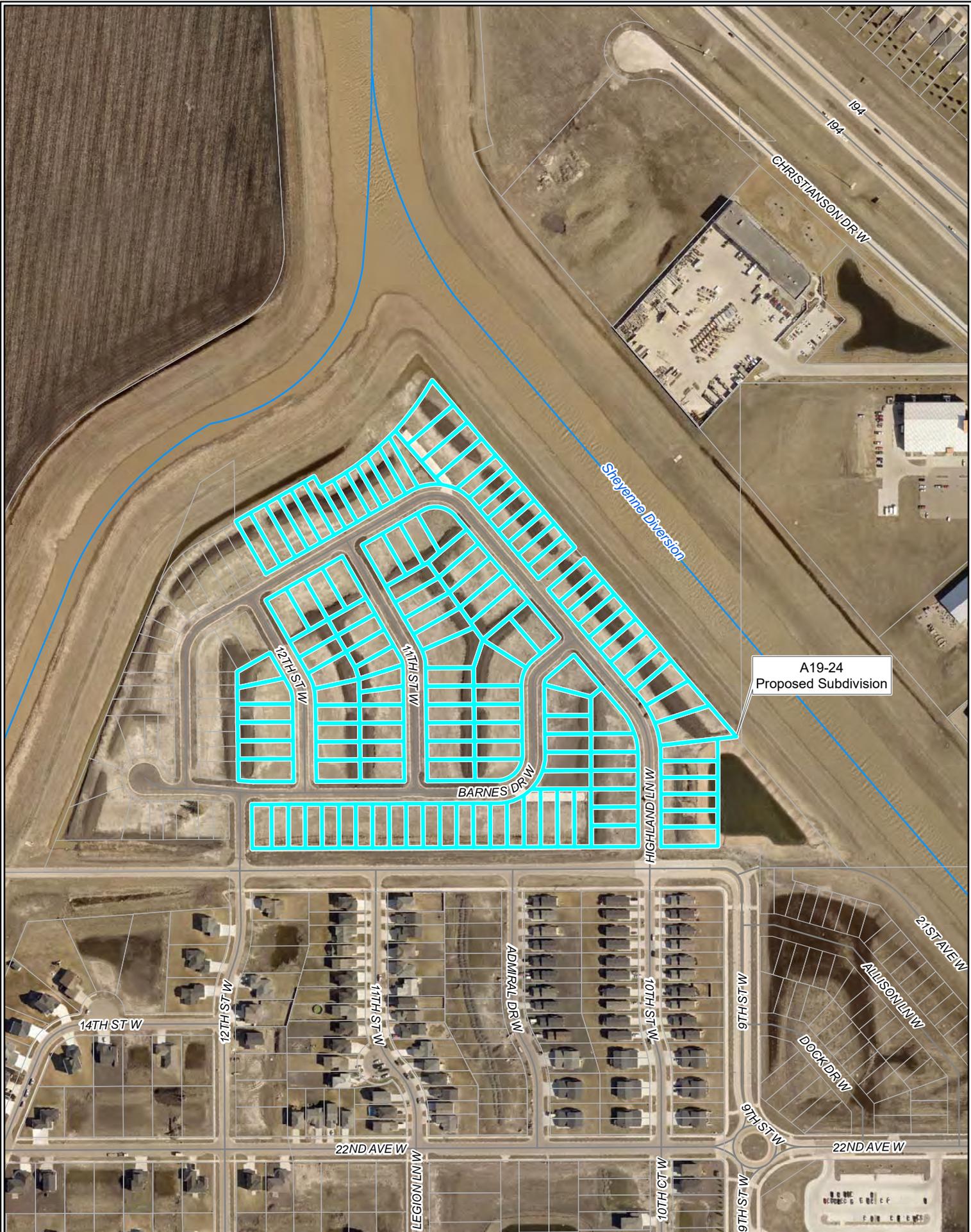
**RECOMMENDATIONS:**

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The final plat lot sizes meet R-1SM district standards.
2. Amended utility plan is reviewed and approved by City Engineer.
3. A drainage plan is received and approved by the City Engineer.
4. An Attorney Title Opinion is received and addressed to the City of West Fargo.
5. Signed Final Plat is received with any necessary easements.
6. A certificate is received showing taxes are current.

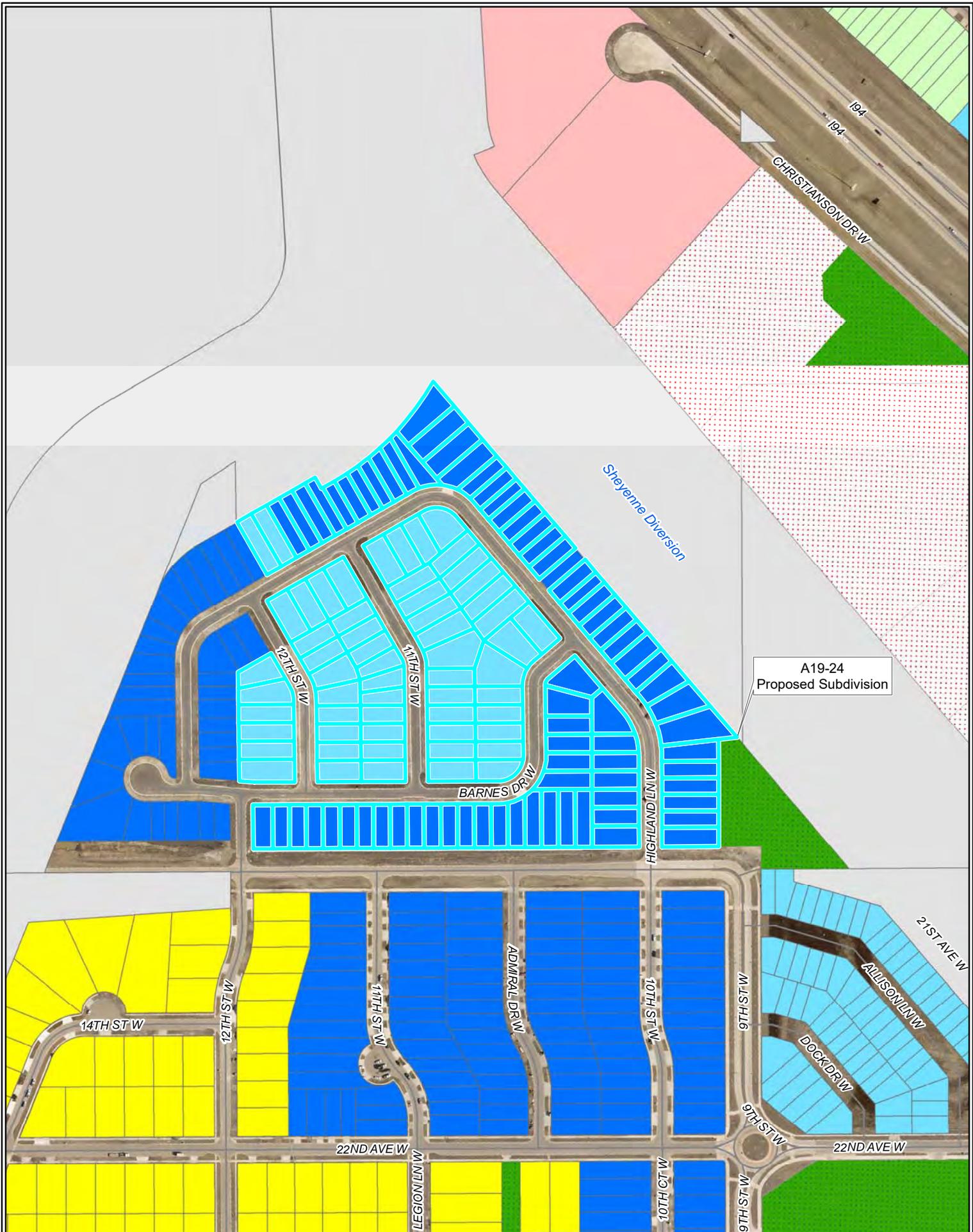
**PLANNING AND ZONING RECOMMENDATION:**

At their June 11, 2019 meeting, the Planning and Zoning Commission recommended approval of the replat and rezoning, subject to the six conditions listed above.



A19-24  
Proposed Subdivision





A19-24  
Proposed Subdivision

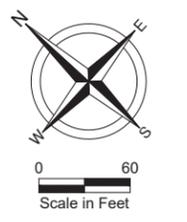
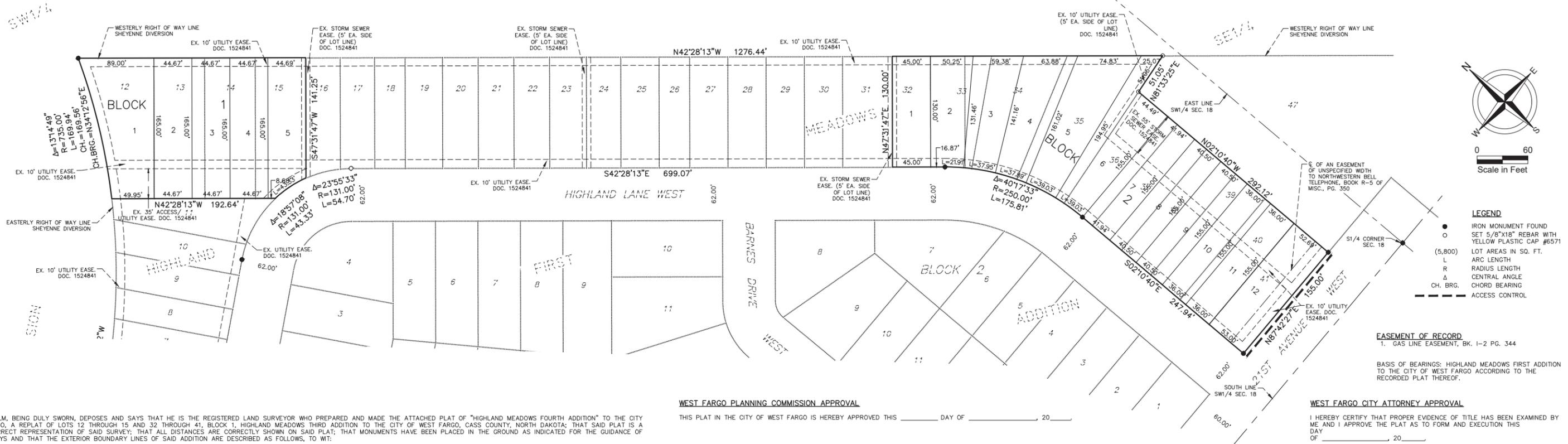
**City of**  
**WEST FARGO**

<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; background-color: white; margin-right: 5px;"></span> A: Agricultural</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: red; margin-right: 5px;"></span> C: Light Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: orange; margin-right: 5px;"></span> C-OP: Commercial Office Park</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkred; margin-right: 5px;"></span> HC: Heavy Commercial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: purple; margin-right: 5px;"></span> LI: Light Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkpurple; margin-right: 5px;"></span> M: Heavy Industrial</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: green; margin-right: 5px;"></span> P: Public</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> PUD: Planned Unit Development</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightblue; margin-right: 5px;"></span> R-1: One and Two Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: yellow; margin-right: 5px;"></span> R-1A: Single Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightyellow; margin-right: 5px;"></span> R-1B: Special Single Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkgreen; margin-right: 5px;"></span> R-1E: Rural Estate</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: blue; margin-right: 5px;"></span> R-1S: Special One and Two Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkblue; margin-right: 5px;"></span> R-1SM: Mixed One and Two Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> R-2: Limited Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: brown; margin-right: 5px;"></span> R-3: Multiple Dwelling</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: orange; margin-right: 5px;"></span> R-4: Mobile Home</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: green; margin-right: 5px;"></span> R-5: Manufactured Home</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen; margin-right: 5px;"></span> R-L1A: Large Lot Single Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkgreen; margin-right: 5px;"></span> R-R: Rural Residential</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: orange; margin-right: 5px;"></span> R-4: Mobile Home</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: green; margin-right: 5px;"></span> R-5: Manufactured Home</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: lightgreen; margin-right: 5px;"></span> R-L1A: Large Lot Single Family</li> <li><span style="display: inline-block; width: 10px; height: 10px; background-color: darkgreen; margin-right: 5px;"></span> R-R: Rural Residential</li> </ul>
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PLAT OF  
**HIGHLAND MEADOWS FOURTH ADDITION**  
 TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 12  
 THROUGH 15 AND 32 THROUGH 41  
 BLOCK 1, HIGHLAND MEADOWS THIRD ADDITION TO THE CITY OF  
 WEST FARGO, CASS COUNTY, NORTH DAKOTA

SHEYENNE DIVERSION

SEC. 18 - 189 - 49



- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"X18" REBAR WITH YELLOW PLASTIC CAP #6571
  - (5,800) LOT AREAS IN SQ. FT.
  - L ARC LENGTH
  - R RADIUS LENGTH
  - Δ CENTRAL ANGLE
  - CH. BRG. CHORD BEARING
  - ACCESS CONTROL

**EASEMENT OF RECORD**  
 1. GAS LINE EASEMENT, BK. 1-2 PG. 344

BASIS OF BEARINGS: HIGHLAND MEADOWS FIRST ADDITION TO THE CITY OF WEST FARGO ACCORDING TO THE RECORDED PLAT THEREOF.

**CERTIFICATE**

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "HIGHLAND MEADOWS FOURTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 12 THROUGH 15 AND 32 THROUGH 41, BLOCK 1, HIGHLAND MEADOWS THIRD ADDITION TO THE CITY OF WEST FARGO, 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 THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOTS 12 THROUGH 15 AND 32 THROUGH 41 INCLUSIVE, BLOCK 1, HIGHLAND MEADOWS THIRD ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 2.81 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



STEVEN W. HOLM  
 REGISTERED LAND SURVEYOR  
 REG. NO. LS-6571

STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, 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 "HIGHLAND MEADOWS FOURTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 12 THROUGH 15 AND 32 THROUGH 41, BLOCK 1, HIGHLAND MEADOWS THIRD ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER: HM DEVELOPMENT, LLC MORTGAGEE: BLACKRIDGEBANK

AUSTIN MORRIS MARC KNUTSON, COMMERCIAL LOAN OFFICER  
 TITLE: \_\_\_\_\_

STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARC KNUTSON, COMMERCIAL LOAN OFFICER OF BLACKRIDGEBANK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF BLACKRIDGEBANK.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**WEST FARGO PLANNING COMMISSION APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

TOM MCDUGALL, CHAIRMAN  
 STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**WEST FARGO CITY COMMISSION APPROVAL**

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BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION TINA FISK, CITY AUDITOR  
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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**CITY ENGINEER'S APPROVAL**

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DUSTIN T. SCOTT, CITY ENGINEER  
 STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**WEST FARGO CITY ATTORNEY APPROVAL**

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS DAY OF \_\_\_\_\_, 20\_\_\_\_.

JOHN T. SHOCKLEY, CITY ATTORNEY  
 STATE OF NORTH DAKOTA )  
 COUNTY OF CASS )

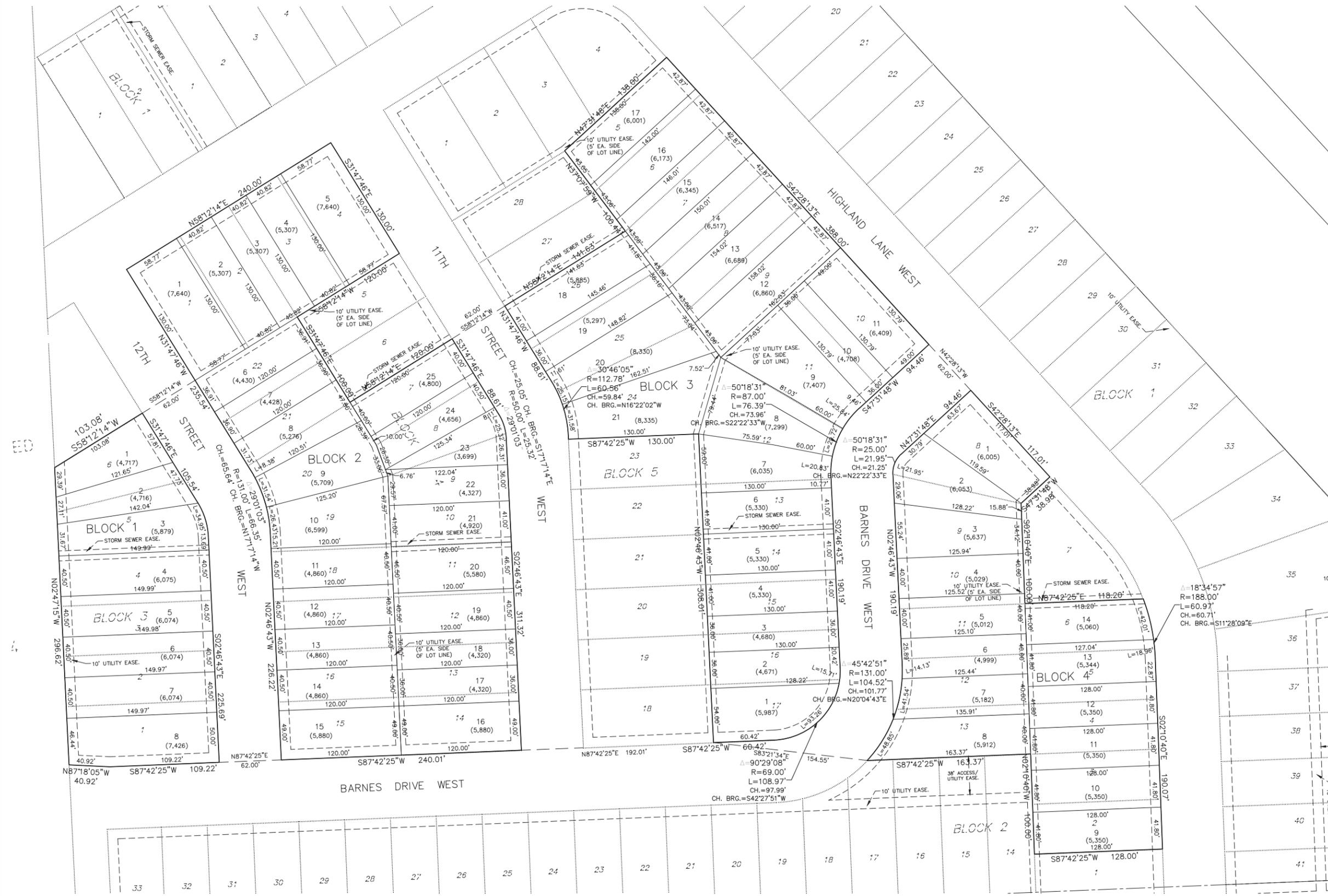
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

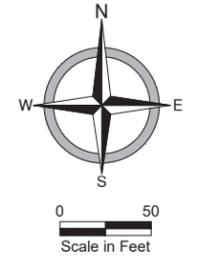


# PLAT OF HIGHLAND MEADOWS FIFTH ADDITION

TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 2 THROUGH 6 AND 8 THROUGH 13, BLOCK 2, LOTS 1 THROUGH 6, BLOCK 3, LOTS 1 THROUGH 4 AND 7 THROUGH 22, BLOCK 4 AND LOTS 5 THROUGH 17 AND 24 THROUGH 26, BLOCK 5, HIGHLAND MEADOWS THIRD ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
  - P.O.C. POINT OF COMMENCEMENT
  - P.O.B. POINT OF BEGINNING
  - L ARC LENGTH
  - R RADIUS LENGTH
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OWNER: HM DEVELOPMENT, LLC

MORTGAGEE: BLACKRIDGEBANK

AUSTIN MORRIS  
TITLE: \_\_\_\_\_

MARC KNUTSON, COMMERCIAL LOAN OFFICER

STATE OF NORTH DAKOTA)  
COUNTY OF CASS )

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



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NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

AGENDA ITEM DESCRIPTION  
CITY COMMISSION  
WEST FARGO, NORTH DAKOTA

Agenda # 2

\*\*\*Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5320 DATE: June 27, 2019

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Conditional Use Permit for construction of accessory buildings for a non-farm residential use in an Agricultural district.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Located at 906 19<sup>th</sup> Ave NW (Auditor's Lot 1 in the NW ¼ of Section 31, T140N, R49W [Reed Township]), Cass County, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

It is recommended that the City confirm the recommendation of the Planning and Zoning Commission to deny the application on the basis that further development of a non-conforming property to this extent is not consistent with City Plans and Ordinances.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A19-22		CONDITIONAL USE PERMIT	
906 19 <sup>th</sup> Ave NW			
Auditor's Lot 1 in the NW ¼ of Section 31, T140N, R49W [Reed Township], Cass County, North Dakota			
Owner/Applicant: Brandon Kaster		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		06-11-2019	
Public Hearing:		06-11-2019 - Denied	
City Commission:			

**PURPOSE:**

Construction of accessory building for a non-farm single-family residential use in an A: Agricultural zoning district.

**STATEMENTS OF FACT:**

Existing Land Use:	Non-Farm Single-Family Residential
Land Use Classification:	G-1 Sub-Urban – Restricted Growth Sector
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	None
Total area size:	2.5 acres
Adjacent Zoning Districts:	A: Agricultural
Adjacent street(s):	19 <sup>th</sup> Avenue NW - Township Road (previously described in staff reports as a Future Arterial)

**DISCUSSION AND OBSERVATIONS:**

- The property is located in the City's extraterritorial (ET) area adjacent to the West Fargo Municipal Airport.
- The applicant submitted a site plan showing a proposed 2,200 ft<sup>2</sup> structure to be constructed on the east side of the property with a 90' 2" side yard setback and a 125' 8" front yard setback.
- The current use of a non-farm single-family dwelling is considered a conditional use within the Agricultural District and was in place at the time of adoption into the City's ET jurisdictional boundary. Under Section 4-477, uses allowed as conditional uses without further action are deemed to be considered a conforming use in such district.
- The existing home is setback approximately 75' from the edge of the existing gravel roadway which is far under what would be required for a new home within this district and possibly encroaching upon what would be considered to be adequate right of way for this section of road. Minimum front yard setbacks on un-platted lots within the Agricultural district are 120' from centerline for local roads and 150' from centerline on collector or arterial roads therefore leaving the structure as a non-conforming structure.
- A new home was permitted to be constructed on the old foundation, however the placement of the home does not meet district standards of the Agricultural district and according to Section 4-470 of City Ordinances, the new home should not have been permitted as it did not meet the yard requirements of the district. Although the home is non-conforming, a permit was issued for its construction so the home may continue as a legal non-conforming structure.

## STAFF REPORT

- It is not permitted to enlarge, extend, construct, reconstruct, move or structurally alter a non-conforming structure in the district in which it is located, however it may be permitted to do so with an accessory structure in a residential district. There is no mention in the Ordinance of permitting accessory structures in an agricultural district.
- The property is situated along 19<sup>th</sup> Ave NW which is an existing section line road. Although the City has not studied this section of road, it is currently in the beginning stages of a Northwest Metropolitan Transportation Plan which will be addressing the area. It is expected, as has been the case with other section line roads, that this be considered at minimum a future collector or arterial roadway and access would therefore be limited as well as an increased need for adequate right of way to accommodate increased traffic and
- The area is within a Special Flood Hazard Area (SFHA) Zone AE, with a small area around the home being shown as out of the floodplain. The new building would be required to meet all applicable Federal, State, and Local regulations.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

## FLOOD INSURANCE RATE MAP:



## CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

STAFF REPORT

- Access to the property would be limited and possibly problematic in the future should 19<sup>th</sup> Ave NW become an arterial or collector roadway. It is also noted that access at time of spring flooding is and has been historically an issue.
- 2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
  - No concerns noted
- 3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
  - No concerns noted
- 4. Utilities, with reference of locations, availability, and compatibility.
  - No concerns noted
- 5. Screening and buffering with reference to type, dimensions, and character.
  - It is assumed that the property owner would understand the adjacency to an airport will create a noise that would be difficult to buffer from.
- 6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
  - No concerns noted
- 7. Required yards and other open space.
  - No concerns noted.
- 8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
  - No concerns noted.
- 9. General compatibility with adjacent properties and other property in the district.
  - Staff would not consider residential to be considered compatible with an airport, however for a person who relies on services of the airport it may be considered an attractive opportunity. Staff would not support a residential zoning, but with conditions may find a non-farm residential use acceptable within the Agricultural zoning district. There may also be some limitations in height due to oversight of other agencies outside of the City jurisdiction.

**NOTICES:**

Sent to: Property owners within 350' and applicable agencies and departments.

Comments Received:

- None to date

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The existing home is non-conforming to the Agricultural district, nor would it likely be conforming if re-platted and zoned to any of the City's residential districts. Adding to the non-conformity is not provided for within the Agricultural district.

STAFF REPORT

**RECOMMENDATIONS:**

It is recommended that the City deny the application on the basis that further development of a non-conforming property to this extent is not consistent with City Plans and Ordinances.

**PLANNING AND ZONING RECOMMENDATION:**

At their June 11, 2019 meeting, the Planning and Zoning Commission recommended denying the conditional use permit based on staff recommendations listed above.

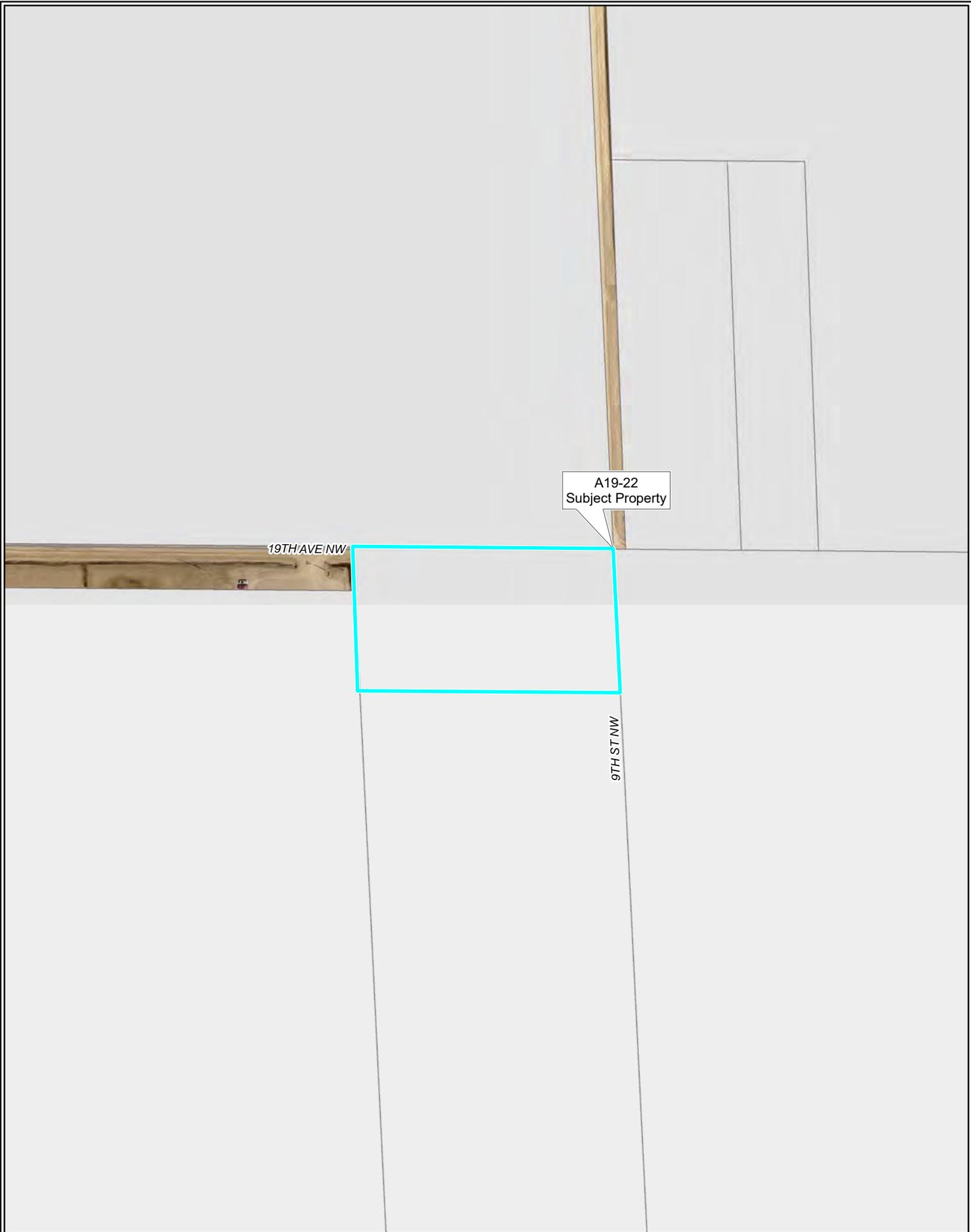


A19-22  
Subject Property

19TH AVE NW

9TH ST NW

81



A19-22  
Subject Property

19TH AVE NW

9TH ST NW



- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-1: One and Two Family
- R-1A: Single Family
- R-1B: Special Single Family
- R-1S: Special One and Two Family
- R-1SM: Mixed One and Two Family
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home
- R-L1A: Large Lot Single Family
- R-R: Rural Residential



by places

19th Ave NW

19th Ave NW

9th St NW

9th St NW

9th St NW

642.47 ft

600.00 ft

500.00 ft

400.00 ft

300.00 ft

300.00 ft

300 ft

251'-11"

394'-5"

125'-3"

56'-0"

40'-0"

90'-2"

51'-10"

Measure distance

Click on the map to add to your path

Total distance: 642.47 ft (195.82 m)







1-B

1-D

2-C

AGENDA ITEM DESCRIPTION  
CITY COMMISSION  
WEST FARGO, NORTH DAKOTA

Agenda # 3

\*\*\*Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 27, 2019

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Schatz Ranch 1<sup>st</sup> Addition, Subdivision and Conditional Use Permit.

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4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Located at 4812 Sheyenne Street (Parcel in the SE¼ Section 31, T139N, R49W), City of West Fargo, North Dakota.

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5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Final Plat Approval and Approval of Conditional Use Permit subject to conditions listed in the staff report.

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CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A18-41		SUBDIVISION AND CONDITIONAL USE PERMIT	
Schatz Ranch 1 <sup>st</sup> Addition			
4812 Sheyenne St (SE¼ of Section 31, T139N, R49W), City of West Fargo, North Dakota			
Applicant: Century Builders Owner: Deanne Schatz		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		10-09-2018	
Public Hearing:		10-09-2018 - Approval	
City Commission Final Plat Approval/Approval		07-01-2019	

**PURPOSE:**

Conditional Use Permit and subsequent platting to accommodate the construction of a new non-farm single family dwelling on land which is zoned A: Agricultural.

**STATEMENTS OF FACT:**

Land Use Classification	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Non-farm Single Family Residential
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	CO: Corridor Overlay District
Proposed Lot size(s) or range:	7.87 Acres
Total area size:	9.12 Acres
Adjacent Zoning Districts:	North: P: Public Facilities & R-1A: Single Family Dwellings South: R-1A: Single Family Dwellings East: R-1E: Rural Estate District West: P: Public Facilities (Retention Pond)
Adjacent street(s):	Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	Future path along Sheyenne Street. There are no proposed connections to park amenities outside of this.
Park Dedication Requirements:	No increased development therefore no dedication to be required at this time.

**DISCUSSION AND OBSERVATIONS:**

- The applicant has submitted an application, site plan, and preliminary plat.
- Development of a non-farm single-family residential dwelling may be permitted as a conditional use on legal lots of record provided that the property is platted in accordance with the City subdivision regulations and that each lot developed contain no more than one single-family home (among other requirements).
- A preliminary site plan shows a proposed single family dwelling to the south and existing accessory building to the north. The existing single family structure will be demolished.
- There is one existing approach onto Sheyenne Street for the development which aligns with the existing 48<sup>th</sup> Ave E on the east side.

## STAFF REPORT

- The applicant is providing 75' of right of way dedication on the preliminary plat which would accommodate the City's requirement of up to 150' on arterial roadways. The Sheyenne Street Corridor Study does not propose improvements that would require additional right of way beyond 150'.
- Public and/or park dedication is not required for the development because there is no increase in intensity from one lot residential to one lot residential. Staff would suggest as part of the platting procedure that if the Park District provides any comments related to park needs that they be considered. If future re-subdivision is to occur to increase the density, land dedication may be required at that time.
- A sewer hook-up fee for all development south of Interstate 94 is required for the subdivision and will need to be addressed within a subdivision improvement agreement.
- In the case of "Tevye Addition" which was a one-lot residential subdivision on similarly situated and sized property, the City asked the applicant to sign an acknowledgement that the property would likely incur large special assessments as growth around the area occurs. A similar acknowledgement should be provided for this development as it is very likely to be the same situation for this property.
- An Attorney Title Opinion is required and will need to be received prior to Final Plat consideration.

**CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:**

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
  - The property has adequate access and the improvements will not affect this access. The access location appears to line up with 48<sup>th</sup> Ave E and should be established on the plat.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
  - No concerns noted
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
  - No concerns noted
4. Utilities, with reference of locations, availability, and compatibility.
  - No concerns noted
5. Screening and buffering with reference to type, dimensions, and character.
  - No concerns noted
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
  - No concerns noted
7. Required yards and other open space.
  - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
  - The property should be required to hook up to local sewer and water facilities.
9. General compatibility with adjacent properties and other property in the district.
  - The land adjacent to this area is single family.

STAFF REPORT

**NOTICES:**

Sent to: Property owners within 150' and applicable agencies and departments

Comments Received:

- None to date.

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The proposed application is neither opposed or supported by the City's Comprehensive Plan and is consistent with the Sheyenne Street Corridor Study and City Ordinances. Increased development would necessitate additional requirements, however the proposed plat does not change the intensity of the existing property.

**RECOMMENDATIONS:**

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. The owner sign an acknowledgement prepared by the City Attorney recognizing the expense that the large lot may incur in regional improvements through special assessments in the future.
2. The property utilize local sewer and water connections and pay required hook-up fees.
3. Access location be included on the final plat and approved by the City Commission with a recommendation for approval by Planning and Zoning Commission.
4. A Signed Subdivision agreement is received and sewer hook-up fee is provided within the agreement.
5. Signed Conditional Use Permit Agreement is received.
6. A drainage plan is received and approved by the City Engineer.
7. An Attorney Title Opinion to the City of West Fargo is received.
8. Final Plat is received with any necessary easements.
9. A certificate is received showing taxes are current.

**PLANNING AND ZONING RECOMMENDATION:**

At their October 9, 2018 meeting, the Planning and Zoning Commission recommended approval of the replat and conditional use permit, subject to the nine conditions listed above, as well as an additional condition that a Waiver of Protest regarding future special assessments be signed by the applicant. The waiver and acknowledgement has been delivered to the applicant for consideration and is attached hereto.



A18-41  
Subject Property





A18-41  
Subject Property



- |  |   |  |  |  |
|--|---|--|--|--|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: grey; border: 1px solid black; margin-right: 5px;"></span> A: Agricultural</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> C: Light Commercial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> C-OP: Commercial Office Park</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: darkred; border: 1px solid black; margin-right: 5px;"></span> HC: Heavy Commercial</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: purple; border: 1px solid black; margin-right: 5px;"></span> LI: Light Industrial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: magenta; border: 1px solid black; margin-right: 5px;"></span> M: Heavy Industrial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> P: Public</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 2px solid red; margin-right: 5px;"></span> PUD: Planned Unit Development</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> R-1: One and Two Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> R-1A: Single Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 2px solid yellow; margin-right: 5px;"></span> R-1B: Special Single Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> R-1E: Rural Estate</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; border: 2px solid blue; margin-right: 5px;"></span> R-1S: Special One and Two Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> R-1SM: Mixed One and Two Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> R-2: Limited Multiple Dwelling</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> R-3: Multiple Dwelling</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> R-4: Mobile Home</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: brown; border: 1px solid black; margin-right: 5px;"></span> R-5: Manufactured Home</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> R-L1A: Large Lot Single Family</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: darkgreen; border: 1px solid black; margin-right: 5px;"></span> R-R: Rural Residential</li> </ul> |
|--|---|--|--|--|



**PLAT OF  
SCHATZ RANCH FIRST ADDITION**  
TO THE CITY OF WEST FARGO, A PLAT OF PART OF THE SOUTHEAST QUARTER, SECTION 31  
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA.

**CERTIFICATE**

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE PROFESSIONAL LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "SCHATZ RANCH FIRST ADDITION" TO THE CITY OF WEST FARGO, PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST, 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 THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE BOUNDARY OF SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 02 DEGREES 59 MINUTES 44 SECONDS WEST ON A RECORD BEARING ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER FOR A DISTANCE OF 1685.29 FEET TO THE NORTHEAST CORNER OF TEVYE ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SAID CASS COUNTY, THE POINT OF BEGINNING; THENCE CONTINUING NORTH 02 DEGREES 59 MINUTES 44 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER FOR A DISTANCE OF 777.02 FEET TO THE MOST EASTERLY CORNER OF THE WILDS FIRST ADDITION; ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE NORTH 89 DEGREES 40 MINUTES 56 SECONDS WEST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 14, BLOCK 2, THE WILDS FIRST ADDITION AND ALONG THE SOUTH LINE THEREOF FOR A DISTANCE OF 318.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 80 DEGREES 18 MINUTES 01 SECOND WEST ALONG THE SOUTHERLY LINES OF LOT 12 AND LOT 11, SAID BLOCK 2 FOR A DISTANCE OF 215.14 FEET TO THE WEST LINE OF TRACT LAND DESCRIBED IN DOCUMENT NO. 1541412 ON FILE AND OF RECORD IN THE OFFICE OF SAID RECORDER; THENCE SOUTH 00 DEGREES 48 MINUTES 34 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 691.74 FEET TO THE NORTHWEST CORNER OF SAID TEVYE ADDITION; THENCE NORTH 87 DEGREES 48 MINUTES 28 SECONDS EAST ALONG THE NORTH LINE OF SAID TEVYE ADDITION FOR A DISTANCE OF 537.13 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 9.21 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



SHAWN M. THOMASSON  
PROFESSIONAL LAND SURVEYOR  
ND PLS #5900  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, PROFESSIONAL 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**

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND DESCRIBED IN THE PLAT OF "SCHATZ RANCH FIRST ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF A PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT I HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, PROFESSIONAL LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE PROFESSIONAL LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE THE 75.00 FOOT WIDE STREET AND THE 10.00 FOOT WIDE UTILITY EASEMENT SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: DEANNE SCHATZ

DEANNE SCHATZ  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DEANNE SCHATZ, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME AS HER FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**WEST FARGO PLANNING COMMISSION APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

TOM MCDUGALL, CHAIRMAN  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

**CITY ENGINEER'S APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.



DUSTIN T. SCOTT, CITY ENGINEER  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, 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

**WEST FARGO CITY ATTORNEY APPROVAL**

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

JOHN T. SHOOKLEY, CITY ATTORNEY  
STATE OF NORTH DAKOTA  
COUNTY OF CASS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOOKLEY, CITY ATTORNEY, 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 THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

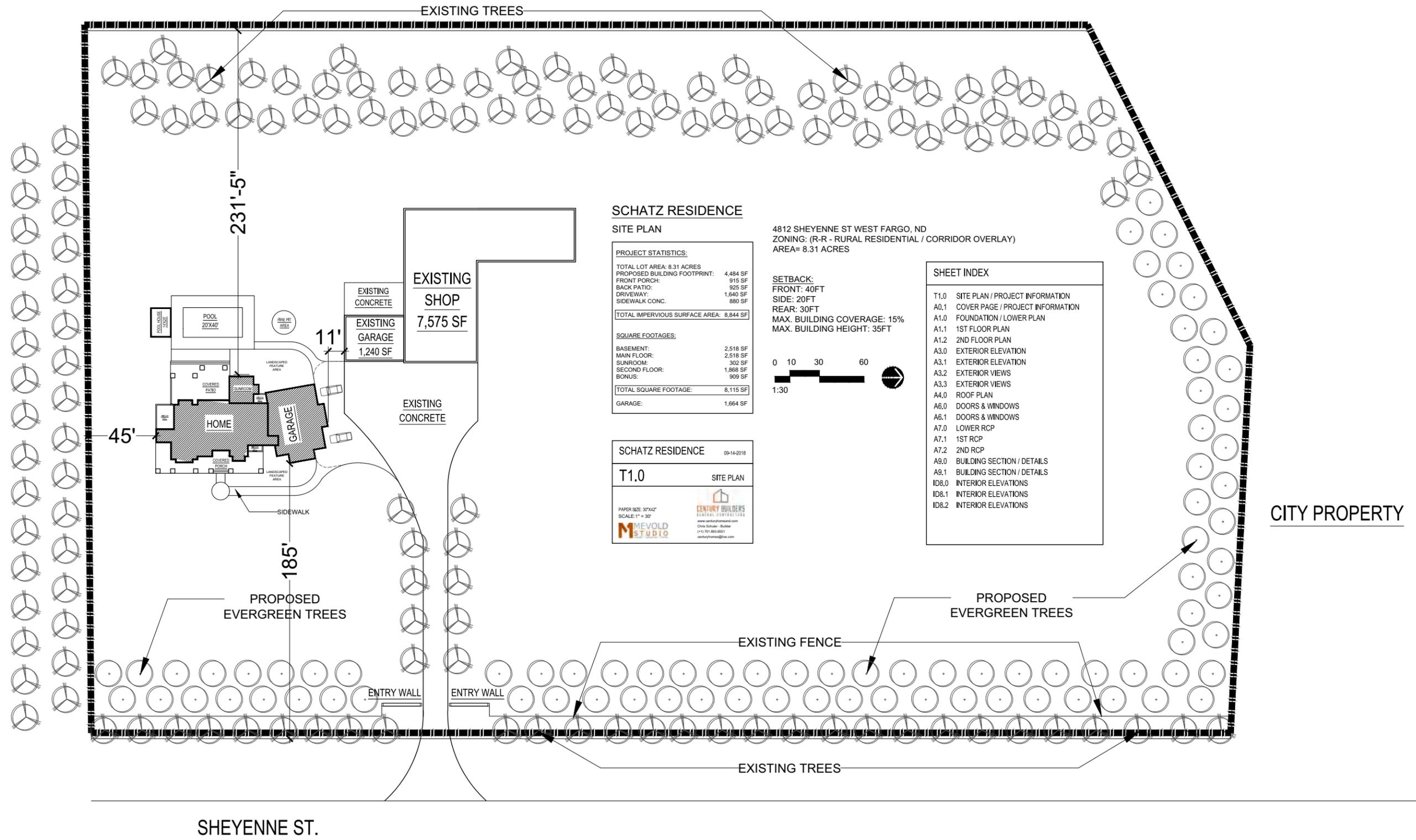


- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"x1/8" REBAR WITH YELLOW PLASTIC CAP #5900
  - P.O.C. POINT OF COMMENCEMENT
  - P.O.B. POINT OF BEGINNING

BASIS OF BEARINGS: THE EAST LINE OF SECTION 31 HAS A RECORD BEARING OF N02°59'44"W FROM THE SOUTHEAST CORNER TO THE EAST QUARTER CORNER THEREOF.

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAYS AS SHOWN UNLESS OTHERWISE NOTED.

POND



# *Conditional Use Permit*

State of North Dakota,  
County of Cass,  
City of West Fargo

WHEREAS, **Deanne Schatz** (hereinafter referred to as the “**Applicant**”) has paid the sum of two hundred dollars (\$200.00) to the City of West Fargo, as required by the City of West Fargo Zoning Ordinance, and has complied with all the requirements of said ordinance necessary for obtaining this permit; and

WHEREAS, the **Applicant** is the legal owner of property located in the NE  $\frac{1}{4}$ , of the SE  $\frac{1}{4}$ , of Section 33, T140N, R50W, legally described as (hereinafter referred to as the “**Property**”):

## **Lot 1, Block 1 of Schatz Farm Addition**

and, WHEREAS, the **Property** is adjacent to right of way which is not improved, nor is likely to be improved due to a retention pond which is immediately east of said right of way within Fargo City Limits therefore the required side yard setback is not subject to requirements of corner lots facing a public way;

NOW, THEREFORE, by order of the West Fargo City Commission, the said applicant is hereby issued a Conditional Use Permit to:

## **Construct a non-farm single family dwelling in the Agricultural Zoning District.**

on the above-described Property with the following conditions:

1. The owner sign an acknowledgement prepared by the City Attorney recognizing the expense that the large lot may incur in regional improvements through special assessments in the future.
2. The property utilize local sewer and water connections.
3. Access location be included on the final plat.
4. South Side Sewer hook-up fee of \$22,423.80 is paid (7.868 acres at 2019 rate of \$2,850/acre).
5. Final plat be approved and recorded for Schatz Farm Addition.
6. Any and all claims that arise or may arise against Applicant, its agents, servants, or employees while engaged in the use of the Property, shall in no way be the obligation of the City of West Fargo. Furthermore, Applicant, its agents servants, employees, or assigns shall indemnify, hold harmless, and defend the City, its officers and employees against any and all liability, loss, costs, damages, expenses, claims, actions, or judgments, including attorneys’ fees which the City, its officers or employees may hereafter sustain, incur, or be required to pay, in any way connected with the City’s

actions related to the granting of this Conditional Use Permit.

7. Any improvements made to the property in connection with this Conditional Use Permit shall be at the sole expense of the Owner and shall not be the obligation of the City.
8. If Applicant fails to observe the terms and conditions of this Conditional Use Permit, the City may revoke this Conditional Use Permit. In such an event, the City will give owner at least a ten (10) day notice of revocation of a revocation hearing for the Conditional Use Permit stating the time, place and purpose of such hearing. Upon such hearing, the City may revoke this Conditional Use Permit. If this Conditional Permit is revoked Owner shall discontinue the conditionally permitted use from the property by the date stated by the City Commission at the hearing. Applicant shall pay as reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.
9. This Conditional Use permit will not be in effect until such time as:
  - a) it is executed and recorded with Cass County; and
  - b) the City of West Fargo is provided with recording information.
10. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
11. Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
12. The Applicant acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**APPLICANT:**

\_\_\_\_\_

STATE OF NORTH DAKOTA    )  
  )  
COUNTY OF CASS            )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Deanne Schatz, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**WEST FARGO BOARD OF CITY  
COMMISSIONERS:**

\_\_\_\_\_  
Bernie L. Dardis, President of the Board

STATE OF NORTH DAKOTA    )  
  )  
COUNTY OF CASS            )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

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

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**WEST FARGO PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT:**

\_\_\_\_\_  
Tim Solberg, Director of Planning and Zoning

STATE OF NORTH DAKOTA    )  
  )  
COUNTY OF CASS            )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Tim Solberg, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]

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

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**ESCROW AGREEMENT**

**BY AND BETWEEN  
THE CITY OF WEST FARGO  
AND  
DEANNE SCHATZ**

**Dated as of June \_\_\_\_\_, 2019**

**Relating to:**

**An Escrow Agreement relating to the roles and responsibilities of the Parties  
for the installation and hookup of sewer services on the Property.**

---

This instrument was drafted by:  
Ohnstad Twichell, P.C.  
P.O. Box 458  
West Fargo, North Dakota 58078

## **ESCROW AGREEMENT**

**THIS ESCROW AGREEMENT** (the “Agreement”) is entered this \_\_\_\_\_ day of June, 2019 (the “Effective Date”), by and between CITY OF WEST FARGO, NORTH DAKOTA, a Home Rule City and political subdivision of the State of North Dakota (the “City”), and DEANNE SCHATZ, an individual (“Schatz”) (collectively, the City and Schatz, the “Parties”).

**WHEREAS**, Schatz is the owner of real property located within the corporate limits of the City at 4812 Sheyenne Street West, West Fargo, North Dakota 58078 (the “Property”); and

**WHEREAS**, the Property consists of approximately ten (10) acres of land; and

**WHEREAS**, Schatz is proposing to redevelop the Property by reconstructing a single-family dwelling on the Property; and

**WHEREAS**, Schatz’s redevelopment of the Property will include the installation of sewer infrastructure; and

**WHEREAS**, pursuant to City ordinance, Schatz is required to connect the sewer infrastructure installed on the Property to the City’s public sewer system to dispose of waste; and

**WHEREAS**, to establish such a connection, the City charges a hookup fee; and

**WHEREAS**, due to the proposed use of the Property and the amount of the proposed hookup fee, the Parties desire to enter into this Agreement to facilitate additional study and the deposit of escrow funds.

**NOW THEREFORE**, in consideration of the mutual covenants made herein and for other valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

**1. SEWER STUDY.** The City will engage in a study to determine the appropriate fee for the sewer hookup. The extent, nature, and parameters of the study will be determined by the City in its discretion. The City will commence the study as soon as reasonably possible following the escrow deposit set forth in the subsequent section, and it anticipates the study, in its entirety, will take approximately one hundred eighty (180) days. The City may solicit additional information from Schatz to assist with the study, and Schatz will provide the requested information. Following the completion of the study, the City will provide written notice of its findings and determination to Schatz. By entering into this Agreement, Schatz agrees to not dispute the findings or determination of the City.

**2. ESCROW FUNDS.** Schatz will deposit the sum of TWENTY TWO THOUSAND FOUR HUNDRED TWENTY-THREE DOLLARS AND 80/100 (\$22,423.80) with the City in anticipation of the study and the amount of the sewer hookup fee. The maximum sewer hookup fee for the Property will not exceed this amount. The City will hold such funds in a separate escrow account until it completes its study. Such account will be non-interest bearing.

**3. ESCROW WITHDRAWAL.** In its notification provided pursuant to Section 1.01, the City will include a determination of the arrived-upon sewer hookup fee. Within fourteen (14) days following the date of such notification, the City will withdraw such fee from the funds held in escrow and will return any excess funds to Schatz. The City's ability to withdraw from the escrow fund is limited solely to the amount determined for the sewer hookup fee and does not extend to any other fees or expenses. If the City desires to make such an additional withdrawal, it must receive express written consent from Schatz.

**4. BUILDING PERMIT.** Schatz agrees and acknowledges that the completion of the City's study and the withdrawal of the sewer hookup fee are conditions precedent to the City's considerations of a building permit for the Property. If the City grants a building permit, Schatz agrees and acknowledges that she must comply with any and all terms and conditions of such building permit.

**5. OTHER APPLICABLE LAW.** Nothing herein shall be construed to waive Schatz's obligation to comply with other applicable law that has not been expressly made part of this Agreement by the Parties.

**6. GOVERNING LAW.** This Agreement will be governed and construed in accordance with the laws of the State of North Dakota.

**7. ENTIRE AGREEMENT.** This Agreement contains the entire and exclusive understanding of the Parties with respect to the subject matter thereof and supersedes all prior agreements, understandings, statements, representations, and negotiations, in each case oral or written, between the Parties with respect to their subject matter, except as otherwise provided herein.

**8. COUNTERPARTS.** This instrument may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

**9. SEVERABILITY.** In case any one or more of the provisions of this Agreement shall be invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained in this Agreement will not in any way be affected or impaired thereby.

**10. MODIFICATION.** This Agreement may be amended or modified only by mutual consent of both Parties unless otherwise provided for herein.

**IN WITNESS WHEREOF,** the Parties caused this Agreement to be executed.

*(Remainder of page intentionally left blank.)*

*Signature Page for the City of West Fargo, North Dakota*

The governing body of the City of West Fargo, North Dakota, approved this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF WEST FARGO, NORTH  
DAKOTA, a Home Rule City and political  
subdivision

By: \_\_\_\_\_  
Bernie Dardis, President of the Board  
of City Commissioners

ATTEST:

\_\_\_\_\_  
Tina Fisk, City Auditor

*Signature Page for Deanne Schatz*

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DEANNE SCHATZ, an individual

---

ACKNOWLEDGEMENT OF SPECIAL ASSESSMENTS AND  
WAIVER OF IRREGULARITY AND APPEAL

WHEREAS, 4812 Sheyenne Street, West Fargo, North Dakota, legally described as the SE¼ of Section 31, Township 139N, Range 49W, is being platted as Schatz Ranch 1<sup>st</sup> Addition to the City of West Fargo (the “Property”); and

WHEREAS, Deanne Schatz is the owner of the Property (the “Owner”); and

WHEREAS, said parcel is of a significant size that may result in substantial special assessments in the future; and

WHEREAS, the Board of City Commissioners of the City of West Fargo wishes to ensure that the Owner, and any subsequent property owner, is aware of the potential levy of significant special assessments on the Property in the future; and

WHEREAS, the Owner has been advised of the possibility of significant special assessments and wishes to execute this acknowledgement to document said advisory and to waive the ability to contest such special assessments.

NOW, THEREFORE, be it resolved:

1. Owner, the undersigned, acknowledges that she is the owner of property to be known as the Schatz Ranch 1<sup>st</sup> Addition to the City of West Fargo. Owner acknowledges that the Property, due to its size, may be subject to the levy and apportionment of substantial special assessments, to be levied on the Property in accordance with the City’s Special Assessment Policy.
2. Owner waives any and all claims regarding the knowledge that the Property may be subject to the levy of substantial special assessments due to the large size of the Property.
3. Owner acknowledges that she has fully read and understands this Acknowledgement and Waiver and that it is entered into voluntarily.

4. The terms and conditions of this Acknowledgement and Waiver are to run with the land and shall be binding upon Owner, its successors, and assigns.

*(Signature appears on the following page.)*

OWNER:

\_\_\_\_\_  
Deanne Schatz

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

This record was acknowledged before me on \_\_\_\_\_, 2018,  
by Deanne Schatz.

\_\_\_\_\_  
Notary Public, Cass County, ND

(SEAL)

AGENDA ITEM DESCRIPTION  
CITY COMMISSION  
WEST FARGO, NORTH DAKOTA

Agenda # 4

\*\*\*Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 25, 2019

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Goldenwood 6<sup>th</sup> Addition, a Retracement Plat

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Lots 5 & 6, Block 1 of Goldenwood 5<sup>th</sup> Addition, City of West Fargo,

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Final Plat Approval subject to conditions listed in the staff report.

STAFF REPORT

A19-21		COMBINATION/RETRACEMENT PLAT	
Goldenwood 6 <sup>th</sup> Addition			
Lots 5 & 6, Block 1 of Goldenwood 5 <sup>th</sup> Addition, City of West Fargo			
Applicant: Ryan Jenson		Staff Contact: Lisa Sankey	
Owner: J&O Real Estate			
Planning & Zoning Commission:		05-14-2019 – Approved	
City Commission:			

**PURPOSE:**

Combination of two existing platted lots into one.

**STATEMENTS OF FACT:**

Land Use Classification:	G-2: Sub-Urban - Growth Sector
Existing Land Use:	Vacant
Current Zoning District(s):	R-1: One & Two Family Dwellings
Zoning Overlay District(s):	CO-SR: Sheyenne River Corridor Overlay District
Proposed Lot size(s) or range:	70,000 ft <sup>2</sup>
Adjacent Zoning Districts:	R-1: One & Two Family Dwellings
Adjacent street(s):	Goldenwood Dr (Local)
Adjacent Bike/Pedestrian Facilities:	Sidewalks
Available Parks/Trail Facilities:	Goldenwood facilities within ¼ mile

**DISCUSSION AND OBSERVATIONS:**

- The applicant is proposing to combine two previously subdivided lots.
- Property owners wishing to combine properties which have been previously platted for the purpose of building across lot lines and/or increasing lot area to address district requirements may submit a retracement plat provided the following conditions are met:
  1. No additional right-of-way is required or being established.
  2. There is no proposed or perceived need of public improvements as a result of the combining of platted lots.
  3. Lots to be combined are contiguous and under common ownership.
- The proposed retracement plat will not affect the property or use. The retracement plat will be given a subdivision name with a lot and block number, which will be of benefit to the City and Cass County for administration purposes.
- With retracement plats there are no street right-of-way dedication or park dedication requirements.
- A public hearing is not required, though the applicant must plat the property according to platting standards and the plat must be reviewed by the Planning and Zoning and City Commissions.

**NOTICES:**

Sent to: Applicable agencies and departments

STAFF REPORT

Comments Received:

- None to date

**CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:**

- The proposed application is consistent with the City plans and ordinances.

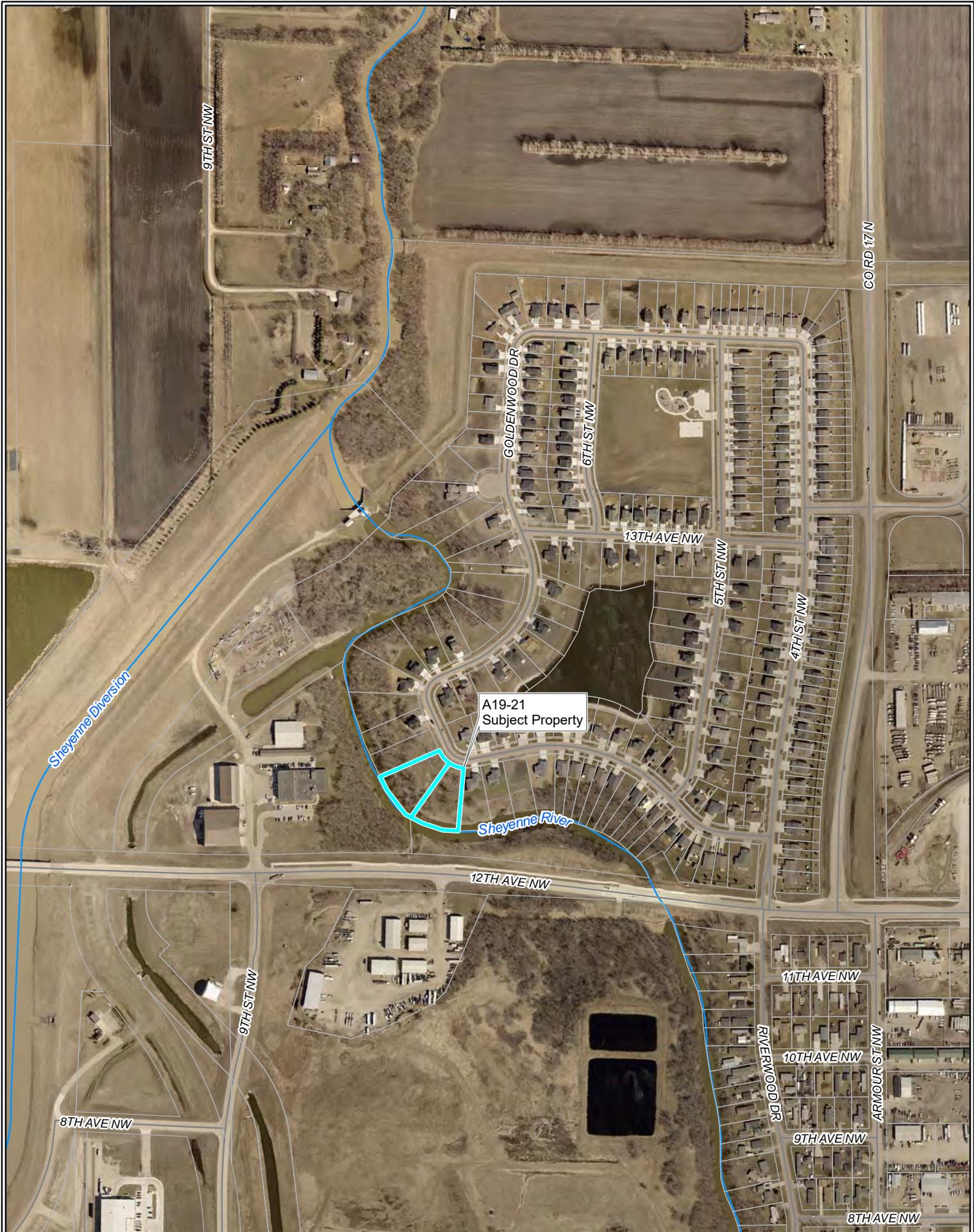
**RECOMMENDATIONS:**

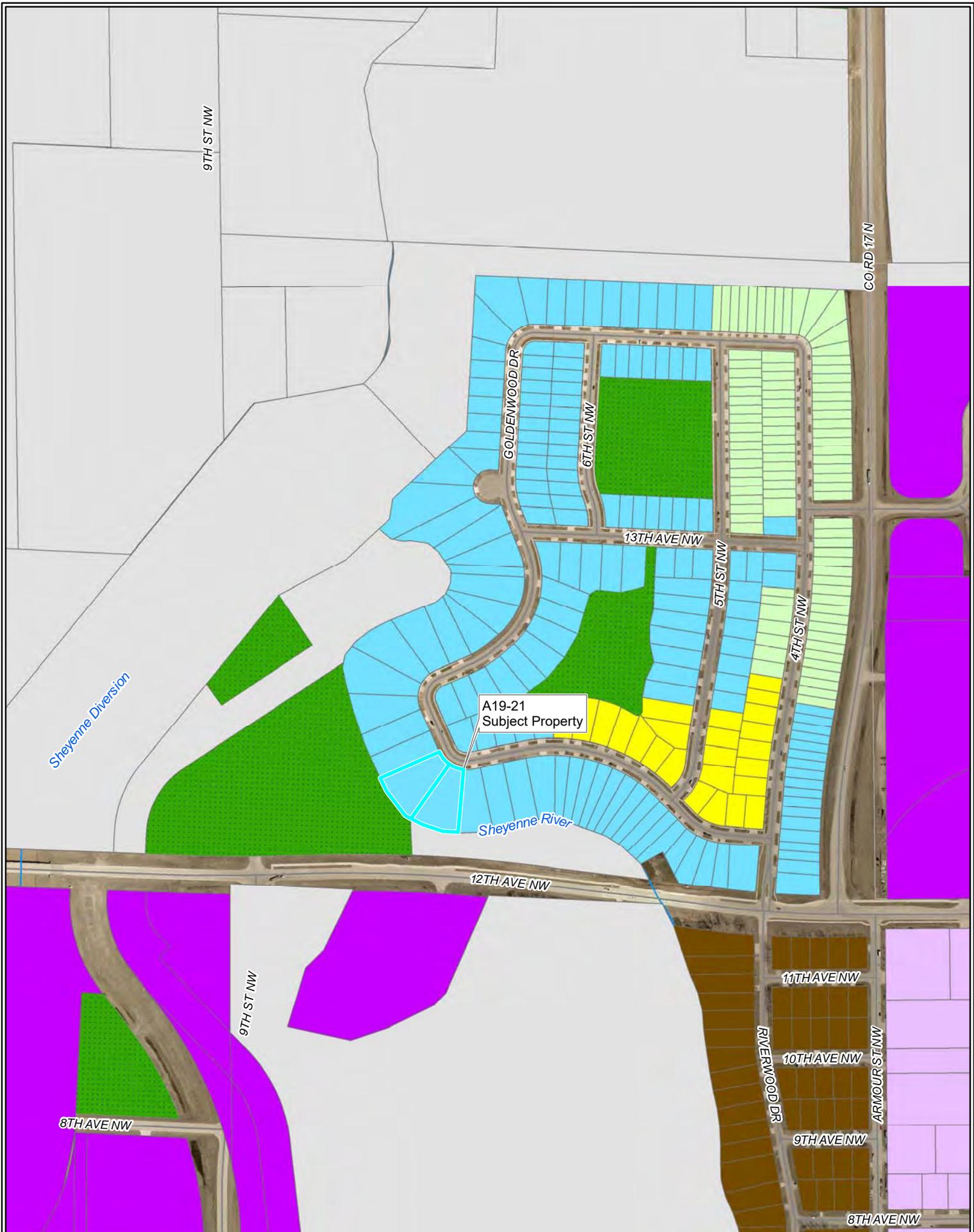
It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. An Attorney Title Opinion to the City of West Fargo is received.
2. Signed Final Plat is received with any necessary easements.
3. A certificate is received showing taxes are current.

**PLANNING AND ZONING RECOMMENDATION:**

At their May 14, 2019 meeting, the Planning and Zoning Commission recommended approval of the Retracement Plan, subject to the three conditions listed above.





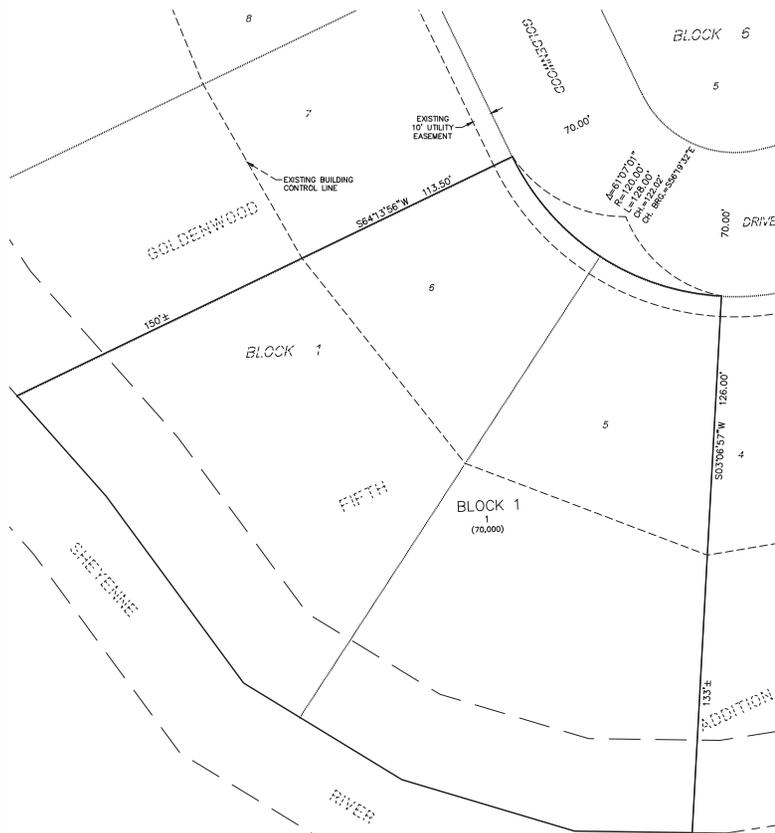
A19-21  
Subject Property



- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- HC: Heavy Commercial
- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-1: One and Two Family
- R-1A: Single Family
- R-1B: Special Single Family
- R-1E: Rural Estate
- R-1S: Special One and Two Family
- R-1SM: Mixed One and Two Family
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home
- R-L1A: Large Lot Single Family
- R-R: Rural Residential



**PLAT OF  
GOLDENWOOD SIXTH ADDITION  
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 5 AND 6, BLOCK 1,  
GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO, CASS  
COUNTY, NORTH DAKOTA**



**CERTIFICATE**

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "GOLDENWOOD SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 5 AND 6, BLOCK 1, GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO, 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 THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOTS 5 AND 6, BLOCK 1, GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 70,000 SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON  
REGISTERED LAND SURVEYOR  
REG. NO. LS-5900  
STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, 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 "GOLDENWOOD SIXTH ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 5 AND 6, BLOCK 1, GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT.

OWNER:

XXXXXXXXXX  
STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED XXXXX, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR OWN FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA )

**CITY ENGINEER'S APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

DUSTIN T. SCOTT, CITY ENGINEER  
STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, 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 )

**WEST FARGO PLANNING COMMISSION APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA )

**WEST FARGO CITY COMMISSION APPROVAL**

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION ) TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR; KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA )

**WEST FARGO CITY ATTORNEY APPROVAL**

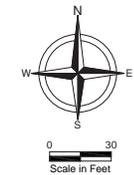
I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA )  
COUNTY OF CASS )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, 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 THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA )



- LEGEND**
- IRON MONUMENT FOUND
  - SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #5900
  - L ARC LENGTH
  - R RADIUS LENGTH
  - Δ CENTRAL ANGLE
  - CH. BRG. CHORD BEARING
  - CH. CH. CHORD DISTANCE
  - (31,963) LOT AREA IN SQ. FT.

BASIS OF BEARINGS: GOLDENWOOD FIFTH ADDITION TO THE CITY OF WEST FARGO ACCORDING TO THE RECORDED PLAT THEREOF.



**ENGINEERING DEPARTMENT**

800 4 Ave E, Suite 1  
West Fargo, ND 58078  
701.433.5300  
[www.westfargond.gov](http://www.westfargond.gov)

**AGENDA ITEM REQUEST**  
*BOARD OF CITY COMMISSIONERS*  
*WEST FARGO, NORTH DAKOTA*

**OFFICE USE:**  
**AGENDA ITEM #** 5

\*\* "Consent" or "Regular" Agenda Item? **Regular** \*\*

1. CONTACT PERSON(s):
  - Dustin T. Scott, City Engineer (433-5425)
2. DATE OF MEETING: **July 1, 2019**
3. DESCRIPTION OF REQUEST:
  - Review letter prepared by MBN Engineering including bid results and a recommendation to award a construction contract for "Street Improvement District No. 2254".
  - Review Engineer's Statement of Cost for "Street Improvement District No. 2254" (pursuant to N.D.C.C. 40-22-29).
4. LOCATION (address; legal; etc.):
  - The Lights at Sheyenne 32 (5<sup>th</sup> St. West to Sheyenne Street).
5. ACTION(S) REQUESTED:
  - Award construction contractor for "Street Improvement District No. 2254" to Northern Improvement Co. in the amount of \$207,782.93

**ADDITIONAL INFORMATION:**

- Plans and specifications were approved by the Board of City Commissioners and approved on June 3, 2019.
- Advertisement of Bid documents was authorized on June 3, 2019.
- The total estimated construction cost identified in the Engineer's Report was \$215,000 (including contingencies) and the total estimated construction identified in the Engineer's Statement of Cost is \$228,561.22 (including contingencies), which is 6.3% higher (under the 40% threshold requirement of N.D.C.C. 40-22-29).



June 26, 2019

Board of City Commissioners  
City of West Fargo  
800 4<sup>th</sup> Avenue East  
West Fargo, ND 58078

Subject: Street Improvement District No. 2254  
Eagle Run Plaza 6<sup>th</sup> Addition  
West Fargo, ND

Mr. Scott,

On June 25, 2019, the City of West Fargo received and publicly opened two (2) bids for Street Improvement District No. 2254. After reviewing the bids, it is our recommendation that the City of West Fargo award the contract to Northern Improvement Co. for the total amount of **\$207,782.93**.

Our Engineer's Opinion of Probable Cost with the Engineer's Report was \$177,580.

Please review and provide comments at your earliest convenience. If there are no questions or concerns, please present this award recommendation to the West Fargo City Commission. It is assumed that the commission will award this contract unless told otherwise. If the contract is awarded by the Commission, please sign, date, and return the enclosed Notice of Award.

Also enclosed is one (1) copy of the bid tabulation, one (1) copy of the Engineer's Statement of Cost, and one (1) copy of the updated Allocation for the Special Assessments of the properties benefitting from the improvements.

If you have any questions, please contact me at 701-478-6336.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Sager".

Tony Sager, P.E.  
Civil Engineer

Enclosures:  
Bid Tabulations  
Notice of Award  
Engineer's Statement of Cost  
Special Assessment Allocations based on Bid Results



License & Bid Bond				x		x	
				Northern Improvement Co.		All Finish Concrete Inc.	
No.	Item	Qty	Unit	Unit Cost	Ext. Price	Unit Cost	Ext. Price
<b>Watermain Items</b>							
1	Removal of Pipe All Types and Sizes	16	LF	\$130.00	\$2,080.00	\$24.00	\$384.00
<b>Storm Sewer Items</b>							
1	Pipe Conc Reinf 12in CI III-Storm Drain	12	LF	\$52.50	\$630.00	\$220.00	\$2,640.00
2	Manhole 48in	1	EA	\$6,825.00	\$6,825.00	\$9,000.00	\$9,000.00
3	Inlet Type 2	1	EA	\$4,200.00	\$4,200.00	\$6,000.00	\$6,000.00
<b>Roadway Items</b>							
1	Removal of Concrete Pavement	50	SY	\$14.00	\$700.00	\$20.00	\$1,000.00
2	Removal of Curb & Gutter	156	LF	\$8.00	\$1,248.00	\$12.00	\$1,872.00
3	Common Excavation - Type A	27	CY	\$7.00	\$189.00	\$25.00	\$675.00
4	Embankment - Type A	1,129	CY	\$8.00	\$9,032.00	\$20.00	\$22,580.00
5	Subgrade Preparation - Type A -12in	1,954	SY	\$2.00	\$3,908.00	\$3.00	\$5,862.00
6	Aggregate Base Course CI 5	220	CY	\$45.00	\$9,900.00	\$57.00	\$12,540.00
7	6in Non-Reinf Conc Pvmt CI Ae - Doweled	1,318	SY	\$60.00	\$79,080.00	\$68.00	\$89,624.00
8	Valley Gutter	347	LF	\$35.00	\$12,145.00	\$54.00	\$18,738.00
9	Geosynthetic Material Type R1	1,318	SY	\$1.85	\$2,438.30	\$3.00	\$3,954.00
10	Edgedrain Non Permeable Base	570	LF	\$6.00	\$3,420.00	\$11.00	\$6,270.00
11	Curb & Gutter - Type 1	174	LF	\$25.00	\$4,350.00	\$30.00	\$5,220.00
12	Curb & Gutter - Type 2	396	LF	\$25.00	\$9,900.00	\$30.00	\$11,880.00
13	Pigmented Imprinted Concrete	21	SY	\$120.00	\$2,520.00	\$200.00	\$4,200.00
14	Sidewalk Concrete 4in	271	SY	\$50.00	\$13,550.00	\$50.00	\$13,550.00
15	Detectable Warning Panels	68	SF	\$30.00	\$2,040.00	\$45.00	\$3,060.00
16	Flat Sheet For Signs - Type XI Refl Sheeting	26.625	SF	\$21.00	\$559.13	\$30.00	\$798.75
17	Steel Galv Posts-Telescoping Perforated Tube	55	LF	\$11.50	\$632.50	\$20.00	\$1,100.00
18	Preformed Patterned Pvmt Mk 24in Line - Grooved	30	LF	\$46.50	\$1,395.00	\$55.00	\$1,650.00
19	Pavement Mark Painted 4in Line	400	LF	\$9.25	\$3,700.00	\$10.00	\$4,000.00
<b>General Items</b>							
1	Removal of Signs	1	EA	\$21.00	\$21.00	\$100.00	\$100.00
2	Topsoil	966	CY	\$8.50	\$8,211.00	\$25.00	\$24,150.00
3	Seeding Class II	0.10	AC	\$5,250.00	\$525.00	\$8,000.00	\$800.00
4	Hydraulic Mulch	500	SY	\$3.15	\$1,575.00	\$3.50	\$1,750.00
5	Silt Fence Unsupported	420	LF	\$4.20	\$1,764.00	\$5.00	\$2,100.00
6	Stabilized Construction Access	1	EA	\$850.00	\$850.00	\$2,000.00	\$2,000.00
7	Traffic Control	1	LS	\$1,050.00	\$1,050.00	\$13,000.00	\$13,000.00
8	Inlet Protection - Special	4	EA	\$160.00	\$640.00	\$200.00	\$800.00
<b>Electrical Items</b>							
1	Concrete Base - 5'	2	EA	\$1,730.00	\$3,460.00	\$2,310.00	\$4,620.00
2	Conductor - #6 USE/Cu.	180	LF	\$6.50	\$1,170.00	\$9.00	\$1,620.00
3	Innerduct - 1.5" PVC	180	LF	\$14.70	\$2,646.00	\$20.00	\$3,600.00
4	Light Standard - Single LED and 14' post	2	EA	\$4,725.00	\$9,450.00	\$6,300.00	\$12,600.00
5	Handhole / Pullbox	1.00	EA	\$1,835.00	\$1,835.00	\$2,450.00	\$2,450.00
6	Tracer Wire - #12	180	LF	\$0.80	\$144.00	\$1.10	\$198.00
<b>Total of All Bid Prices</b>					<b>\$207,782.93</b>		<b>\$296,385.75</b>

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**NOTICE OF AWARD**

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Date of Issuance: July 1, 2019

Owner: City of West Fargo

Engineer: MBN Engineering

Project: Eagle Run Plaza 6<sup>th</sup> Addition

Owner's Contract No.:

Engineer's Project No.: 19-087

Contract Name: Street Improvement District No. 2254

Bidder: Northern Improvements Co.

Bidder's Address: P.O. Box 2846 Fargo, ND 58108

**TO BIDDER:**

You are notified that Owner has accepted your Bid dated June 25, 2019 for the above Contract, and that you are the Successful Bidder and are awarded a Contract for:

**Street Improvement District No. 2254**

The Contract Price of the awarded Contract is: \$ 207,782.93

Three (3) unexecuted counterparts of the Agreement accompany this Notice of Award, and three copies of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

Three (3) sets of the Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of this Notice of Award:

1. Deliver to Owner three (3) counterparts of the Agreement, fully executed by Bidder.
2. Deliver with the executed Agreement(s) the Contract security [*e.g., performance and payment bonds*] and insurance documentation as specified in the Instructions to Bidders and General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any):

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

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Owner: City of West Fargo

\_\_\_\_\_  
Authorized Signature

By: Bernie L. Dardis

Title: President of the Board of City commissioners

Copy: Engineer



**ENGINEERING DEPARTMENT**

800 4 Ave E, Suite 1  
West Fargo, ND 58078  
701.433.5330  
[www.westfargond.gov](http://www.westfargond.gov)

June 27, 2019

Board of City Commissioners  
City of West Fargo  
800 4<sup>th</sup> Avenue East  
West Fargo, ND

Re: Street Improvement District No. 2254  
Eagle Run Plaza 6<sup>th</sup> Addition  
(a.k.a. "The Lights at Sheyenne 32")

WHEREAS, bids were opened and filed for *Street Improvement District No. 2254* for the City of West Fargo, North Dakota; and

WHEREAS, the engineer for the City of West Fargo, North Dakota is required to make a careful and detailed statement of the estimated cost of work (*pursuant to N.D.C.C. 40-22-29*);

NOW THEREFORE, I, Dustin T. Scott, do hereby certify as follows:

That I am the City Engineer for the City of West Fargo, North Dakota;

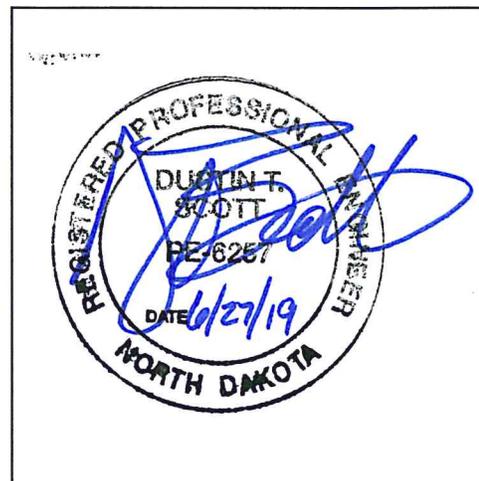
That the following (and/or attached hereto) is a detailed statement of the estimated cost for work described as Street Improvement District No. 2254 of the City of West Fargo, North Dakota.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 27<sup>th</sup> day of JUNE, 2019.

DUSTIN T. SCOTT  
ND REG. NO. 6257

A handwritten signature in blue ink that reads "Dustin T. Scott".

Engineer for the City of West Fargo  
West Fargo, North Dakota





**Street Improvement District No. 2254**  
 Eagle Run Plaza 6th Addition  
 West Fargo, ND  
 MBN Project No. 19-087  
 Engineer's Statement of Estimated Cost

Item No. / Spec Section / Description			Estimated Quantity	Units	Bid Unit Price	Bid Price
<b>Water Main Items</b>						
1	02 4100	Removal of Pipe All Types and Sizes	16	LF	\$130.00	\$2,080.00
<b>Storm Sewer Items</b>						
1	NDDOT 714	Pipe Conc Reinf 12in CI III-Storm Drain	12	LF	\$52.50	\$630.00
2	NDDOT 722	Manhole 48in	1	EA	\$6,825.00	\$6,825.00
3	NDDOT 722	Inlet Type 2	1	EA	\$4,200.00	\$4,200.00
<b>Roadway Items</b>						
1	NDDOT 202	Removal of Concrete Pavement	50	SY	\$14.00	\$700.00
2	NDDOT 202	Removal of Curb & Gutter	156	LF	\$8.00	\$1,248.00
3	NDDOT 203	Common Excavation - Type A	27	CY	\$7.00	\$189.00
4	NDDOT 203	Embankment - Type A	1,129	CY	\$8.00	\$9,032.00
5	NDDOT 230	Subgrade Preparation - Type A -12in	1,954	SY	\$2.00	\$3,908.00
6	NDDOT 302	Aggregate Base Course CI 5	220	CY	\$45.00	\$9,900.00
7	NDDOT 550	6in Non-Reinf Conc Pvmt CI Ae - Doweled	1,318	SY	\$60.00	\$79,080.00
8	NDDOT 748	Valley Gutter	347	LF	\$35.00	\$12,145.00
9	NDDOT 709	Geosynthetic Material Type R1	1,318	SY	\$1.85	\$2,438.30
10	NDDOT 714	Edgedrain Non Permeable Base	570	LF	\$6.00	\$3,420.00
11	NDDOT 748	Curb & Gutter - Type 1	174	LF	\$25.00	\$4,350.00
12	NDDOT 748	Curb & Gutter - Type 2	396	LF	\$25.00	\$9,900.00
13	NDDOT 750	Pigmented Imprinted Concrete	21	SY	\$120.00	\$2,520.00
14	NDDOT 750	Sidewalk Concrete 4in	271	SY	\$50.00	\$13,550.00
15	NDDOT 750	Detectable Warning Panels	68	SF	\$30.00	\$2,040.00
16	NDDOT 754	Flat Sheet For Signs - Type XI Refl Sheeting	26.625	SF	\$21.00	\$559.13
17	NDDOT 754	Steel Galv Posts-Telescoping Perforated Tube	55	LF	\$11.50	\$632.50
18	NDDOT 762	Preformed Patterned Pvmt Mk 24in Line - Grooved	30	LF	\$46.50	\$1,395.00
19	NDDOT 762	Pavement Mark Painted 4in Line	400	LF	\$9.25	\$3,700.00
<b>General Items</b>						
1	02 4100	Removal of Signs	1	EA	\$21.00	\$21.00
2	NDDOT 203	Topsoil	966	CY	\$8.50	\$8,211.00
3	NDDOT 251	Seeding Class II	0.10	AC	\$5,250.00	\$525.00
4	NDDOT 253	Hydraulic Mulch	500	SY	\$3.15	\$1,575.00
5	NDDOT 260	Silt Fence Unsupported	420	LF	\$4.20	\$1,764.00
6	NDDOT 265	Stabilized Construction Access	1	EA	\$850.00	\$850.00
7	NDDOT 704	Traffic Control	1	LS	\$1,050.00	\$1,050.00
8	01 5713	Inlet Protection - Special	4	EA	\$160.00	\$640.00
<b>Electrical Items</b>						
1	26000	Concrete Base - 5'	2	EA	\$1,730.00	\$3,460.00
2	26000	Conductor - #6 USE/Cu.	180	LF	\$6.50	\$1,170.00
3	26000	Innerduct - 1.5" PVC	180	LF	\$14.70	\$2,646.00
4	26000	Light Standard - Single LED and 14' post	2	EA	\$4,725.00	\$9,450.00
5	26000	Handhole / Pullbox	1	EA	\$1,835.00	\$1,835.00
6	26000	Tracer Wire - #12	180	LF	\$0.80	\$144.00
Construction Subtotal						\$207,782.93
Contingencies (10%)						\$20,778.29
<b>Total Construction</b>						<b>\$228,561.22</b>
Engineering						\$25,000.00
Material Testing						\$5,000.00
Legal & Administration						\$10,000.00
Bond Discount						\$8,500.00
<b>Total Cost</b>						<b>\$277,061.22</b>

Division	Block	Lot	GIS PIN	Area Factor	Assessable	Factored	Storm Area	Equivalent Units	Storm Sewer & Water	Parallel Parking & South Sidewalk		Drivethrough Road	Electrical	Total Assessment	Notes
					Area (Acres)	Assessable Area (Acres)									
EAGLE RUN PLAZA 6TH ADDITION	1	1	0	1.00	4.17	4.17	4.17	18	\$9,095.87	\$0.00	\$99,572.13	\$12,387.20	\$121,055.19		
EAGLE RUN PLAZA 6TH ADDITION	1	2	0	0.00	2.46	0.00	0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
EAGLE RUN PLAZA 6TH ADDITION	1	3	0	1.00	0.16	0.16	0.16	1	\$345.30	\$1,247.97	\$3,780.01	\$470.25	\$5,843.53		
EAGLE RUN PLAZA 6TH ADDITION	1	4	0	1.00	1.00	1.00	1.00	4	\$2,175.84	\$7,863.75	\$23,818.80	\$2,963.16	\$36,821.54		
EAGLE RUN PLAZA 6TH ADDITION	1	5	0	1.00	0.48	0.48	0.48	2	\$1,051.20	\$3,799.18	\$11,507.49	\$1,431.58	\$17,789.45		
EAGLE RUN PLAZA 6TH ADDITION	1	6	0	1.00	1.05	1.05	1.05	5	\$2,293.76	\$8,289.93	\$25,109.69	\$3,123.75	\$38,817.14		
EAGLE RUN PLAZA 6TH ADDITION	1	7	0	1.00	0.79	0.79	0.79	3	\$1,713.16	\$6,191.56	\$18,753.86	\$2,333.06	\$28,991.64		
EAGLE RUN PLAZA 6TH ADDITION	1	8	0	1.00	0.75	0.75	0.75	3	\$1,639.36	\$5,924.84	\$17,945.97	\$2,232.56	\$27,742.73		
<b>Construction Dollars</b>					<b>10.86</b>	<b>8.39</b>	<b>8.39</b>	<b>36</b>	<b>\$18,314.48</b>	<b>\$33,317.23</b>	<b>\$200,487.95</b>	<b>\$24,941.56</b>			

Storm Sewer & Water	\$15,108.50
Parallel Parking & South Sidewalk	\$27,485.00
Drivethrough Road	\$165,382.22
Electrical	\$20,575.50
<b>Total</b>	<b>\$228,561.22</b>
<b>Based on Assessment Total</b>	
Storm Sewer & Water	\$18,314.48
Parallel Parking & South Sidewalk	\$33,317.23
Drivethrough Road	\$200,487.95
Electrical	\$24,941.56
<b>Total Assessment</b>	<b>\$277,061.22</b>

Engineering, admin., legal, etc. = 21.22%

Storm Sewer Cost per SF	\$0.05
Parallel Parking & South Sidewalk per SF	\$0.18
Drivethrough Road Cost per SF	\$0.55
Electrical Cost per SF	\$0.07

Color Legend

Unassessable Parcel
Adjusted Number of EU's
Adjusted Area for Pond Storage/River Setback
Adjusted Number/EU's for Condo Lots
Questionable Lots/Frontages/Areas