



Engineering Department

DATE: 6/1/2021

FROM: Gabe Schell, City Engineer

ITEM: Water Main Easement – Part of Lots 7-9, Block 1, of Airport Road Addition, 722 Airport Road

REQUEST:

Approve Water Main Easement at 722 Airport Road from Craig Gierke of Bisman Remodel; Pros, LLC.

Please place this item on the 6/8/2021 City Commission meeting agenda.

BACKGROUND INFORMATION:

Attached is a water main easement for an existing water main located on the property at 722 Airport Road in southeast Bismarck. The existing water main is located along the west property line of 722 Airport Road.

RECOMMENDED CITY COMMISSION ACTION:

Approve Water Main Easement from Craig Gierke of Bisman Remodel; Pros, LLC.

STAFF CONTACT INFORMATION:

Gabe Schell, PE | City Engineer, 355-1505 or gschell@bismarcknd.gov

WATERMAIN EASEMENT

This dedication of a Watermain easement is made this _____ day of _____, 2021, between **Bisman Remodel Pros, LLC.**, whose address is 722 Airport Road, Bismarck, North Dakota, 58504, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the benefit to the citizens of the City of Bismarck, Bisman Remodel Pros, LLC., hereby reserves, grants, and dedicates a Watermain easement to the City of Bismarck to run with the land at all times hereafter to construct, operate, maintain, and repair watermain facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property within Lot 7B of Lot 7, the east 203' of Lot 8 and the north 17.58' of the east 203' of Lot 9 Block 1 of Airport Addition of Section 3, Township 138 North, Range 80 West of the Fifth Principal Meridian, Bismarck, Burleigh County, North Dakota for the purpose herein granted
2. The Grantee shall have the right to ingress and egress across the easement property for the purpose herein reserved.
3. The real property for the Watermain easement herein dedicated, granted and reserved is owned by the Grantor and is described as follows:

ALL THAT PART OF LOT 7B OF LOT 7, THE EAST 203' OF LOT 8 & THE NORTH 17.58' OF THE EAST 203' OF LOT 9 BLOCK 1 OF AIRPORT ADDITION OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, A 20' EASEMENT, 10' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, THE SIDELINES BEING LENGTHENED OR SHORTENED TO INTERSECT THE NORTHERN AND SOUTHERN BOUNDARIES OF THE PARCEL:

BEGINNING ON THE NORTH LINE OF SAID LOT 7B AT A POINT THAT IS NORTH 88 DEGREES 48 MINUTES 04 SECONDS WEST OF THE NORTHEAST CORNER OF SAID LOT 7B, A DISTANCE OF 109.35 FEET; THENCE SOUTH 00 DEGREES 46 MINUTES 14 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID LOT 7B, A DISTANCE OF 188.74 FEET TO THE SOUTH LINE OF THE NORTH 17.58' OF THE EAST 203' OF SAID LOT 9.

THE ABOVE DESCRIBED EASEMENT CONTAINS 3,775 SF, MORE OR LESS.

Description prepared by Landon Niemiller; Swenson, Hagen & Co. P.C.; 909 Basin Ave, Bismarck, ND 58504.

4. The grantee is responsible for the installation, operation, and maintenance of improvements or facilities constructed or installed pursuant to this easement.
5. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution in 2021 and ending in 2120.

IN WITNESS WHEREOF, the Grantors have hereto fixed their signatures this the ____ day of _____, 2021.

STATE OF _____)
) SS
COUNTY OF _____)

Craig Gierke
Bisman Remodel Pros, LLC
722 Airport Road
Bismarck, ND 58504

On this ____ day of _____, 2021, before me appeared Craig Gierke of Bisman Remodel Pros, LLC., known to me to be the person that is described in and that he executed the foregoing instrument, and acknowledged that he executed the same.

Notary Public, _____ County, ND
My Commission Expires: _____

Acceptance by City of Bismarck:

STEVE BAKKEN, PRESIDENT
BOARD OF CITY COMMISSIONERS

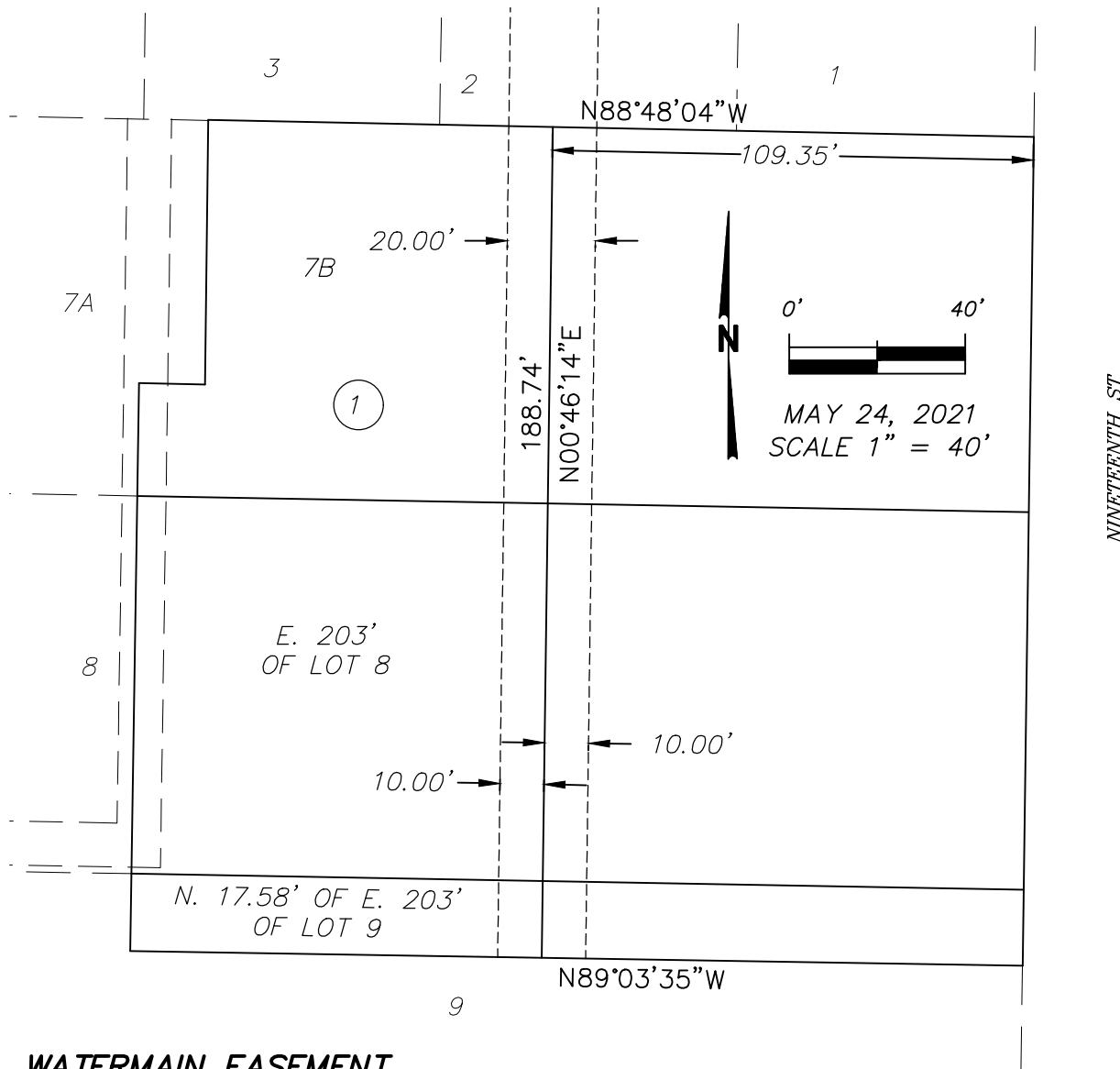
Attest: _____
KEITH J. HUNKE
CITY ADMINISTRATOR

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this ____ day of _____, 2021, before me appeared STEVE BAKKEN, President of the Board of City Commissioners, and KEITH J. HUNKE, City Administrator, known to me to be the persons who are described in, and who executed the within and foregoing instrument and who severally acknowledged to me that they executed the same.

Notary Public, Burleigh County, ND
My Commission expires: _____

WATERMAIN EASEMENT EXHIBIT



WATERMAIN EASEMENT

ALL THAT PART OF LOT 7B OF LOT 7, THE EAST 203' OF LOT 8 & THE NORTH 17.58' OF THE EAST 203' OF LOT 9 BLOCK 1 OF AIRPORT ADDITION OF SECTION 3, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, A 20' EASEMENT, 10' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, THE SIDELINES BEING LENGTHENED OR SHORTENED TO INTERSECT THE NORTHERN AND SOUTHERN BOUNDARIES OF THE PARCEL:

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