



Engineering Department

DATE: July 7, 2021
FROM: Gabe Schell, City Engineer
ITEM: Storm Water and Drainage Easement

REQUEST:

Consider dedication and acceptance of Storm Water Easement and Maintenance Agreement on Lot 1, Block 15, Silver Ranch Third Addition

Please place this item on the July 13, 2021 City Commission meeting agenda.

BACKGROUND INFORMATION:

The stormwater easement is needed for the additional future storm sewer that will be used to redirect water back into the drainage area adjacent to Silver Ranch Third Addition. The attached easement satisfies this condition.

RECOMMENDED CITY COMMISSION ACTION:

Approve dedication and acceptance of Storm Water Easement and Maintenance Agreement on Lot 1, Block 15, Silver Ranch Third Addition.

STAFF CONTACT INFORMATION:

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

STORMWATER & DRAINAGE EASEMENT

This dedication of a Stormwater & Drainage easement is made this 24th day of March, 2021, between **Investcore, Inc.**, whose post office address is P.O. Box 1437, Bismarck, North Dakota, 58502, 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, Investcore, Inc., hereby reserves, grants, and dedicates a stormwater & drainage easement to the City of Bismarck to run with the land for the purpose of conveying storm sewer and surface water drainage under, over, through and/or across the lands described below, together with the right to remove trees, brush, undergrowth, and other obstructions interfering with the location, construction, and maintenance of said utility. The City shall have the right to ingress and egress across the easement property for the purpose herein reserved.
2. The real property for the stormwater & drainage easement herein dedicated, granted and reserved is owned by the Grantor and is described as follows:

ALL THAT PART OF LOT 1 BLOCK 15 OF SILVER RANCH THIRD ADDITION OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89 DEGREES 41 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 30.00 FEET; THENCE NORTHWESTERLY AND TO THE RIGHT, CONTINUING ALONG SAID SOUTH LINE, ON A 120.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 86.73 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 42 SECONDS EAST, A DISTANCE OF 109.38 FEET TO THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00 DEGREES 18 MINUTES 10 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 2,532 SF, MORE OR LESS.

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

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


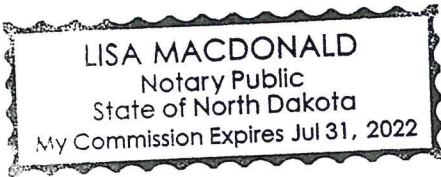
IN WITNESS WHEREOF, the Grantors have hereto fixed their signatures this the 24th day of March, 2021.

STATE OF North Dakota)
) SS
COUNTY OF Burleigh)



Chad Wachter, *its President*
Investcore, Inc
PO Box 1437
Bismarck, ND 58502

On this 24th day of March, 2021, before me appeared Chad Wachter of Investcore, Inc., 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, Burleigh County, ND
My Commission Expires: July 31, 2022

Acceptance by City of Bismarck:

STEVE BAKKEN, PRESIDENT
BOARD OF CITY COMMISSIONERS

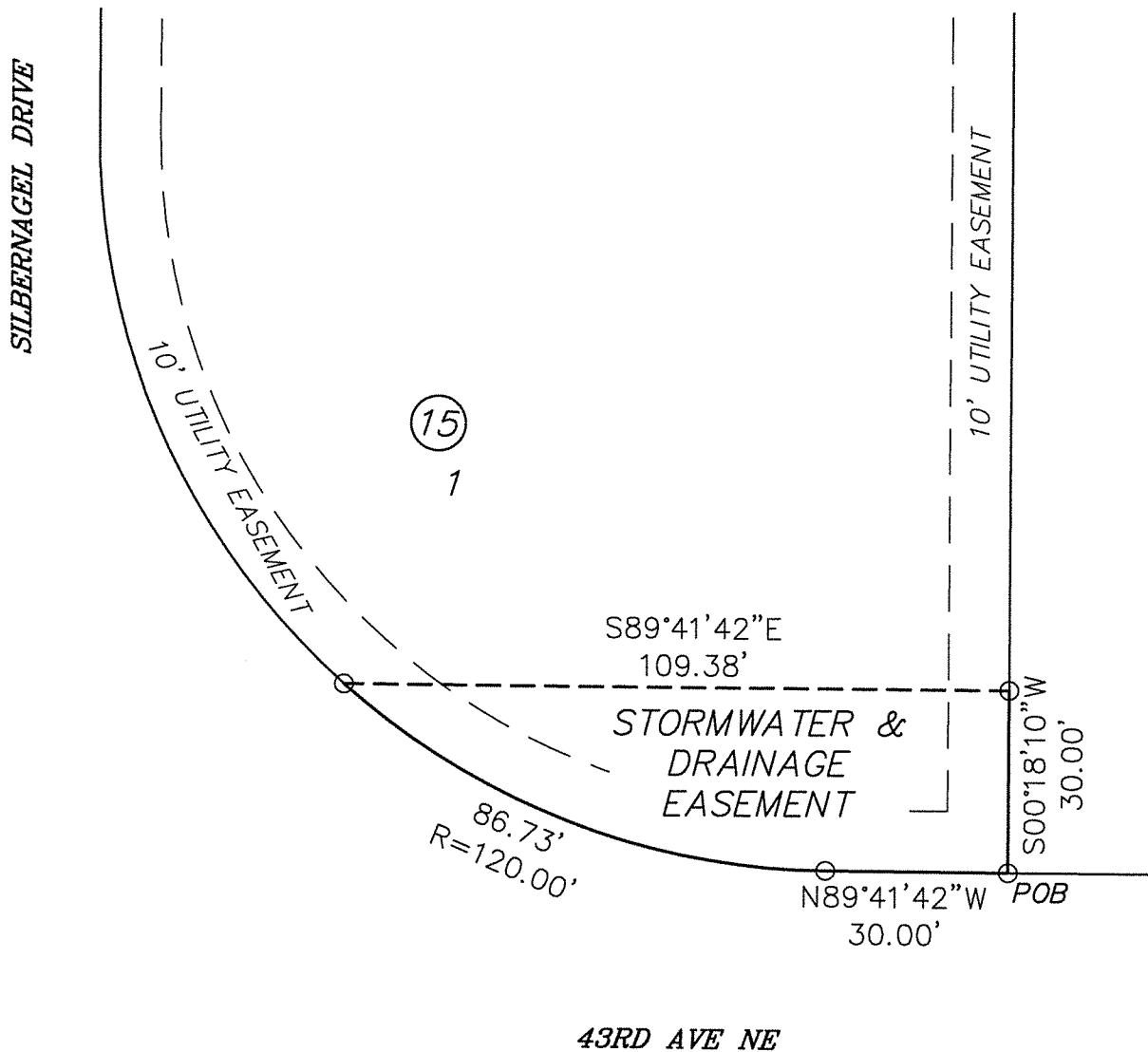
Attest: _____
KEITH J. HUNKE
CITY ADMINISTRATOR

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: _____

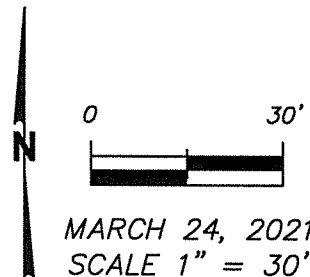
STORMWATER & DRAINAGE EASEMENT EXHIBIT



STORMWATER & DRAINAGE EASEMENT

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SWENSON, HAGEN & COMPANY P.C.

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management

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