



## Fire Department

**DATE:** July 18, 2022  
**FROM:** Joel Boespflug, Fire Chief  
**ITEM:** Acceptance of Easement Agreement – MDU – Outdoor Warning Siren location

**REQUEST:**

Consider acceptance of easement agreement with MDU for placement of new outdoor warning siren.

Please place this item on the July 26, 2022, City Commission meeting agenda.

**BACKGROUND INFORMATION:**

The purpose of the easement agreement is to allow for a new outdoor warning siren to be placed at the MDU substation (Lot 3, Block 1 Daybreak Medical Addition) located at the corner of 57<sup>th</sup> Avenue and Washington Street to provide for outdoor warning siren coverage in newer areas of development in north Bismarck. See attached easement agreement. Also, see attached location diagram (not part of easement agreement).

MDU is currently in the process of executing the attached easement.

**RECOMMENDED CITY COMMISSION ACTION:**

Accept dedication of easement relating to placement of siren and applicable access to MDU property for future siren maintenance activities.

**STAFF CONTACT INFORMATION:**

Gary Stockert | City Emergency Manager | 701-222-6727 | gstockert@bismarcknd.gov

.....  
Above this line used for recordation purposes only.

## **EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that the Undersigned, Montana-Dakota Utilities Co., at the address of 400 N 4<sup>th</sup> Street, Bismarck, North Dakota 58501-4022, Grantor, in consideration of **One Dollar (\$1.00)** and other good and valuable considerations, the receipt of which is hereby acknowledged, do hereby grant unto the City of Bismarck whose address is 221 North 5<sup>th</sup> Street, Bismarck, North Dakota, Grantee, and to its successors or assigns, a statutorily granted easement within the following described lands of the undersigned, situated in Burleigh County, State of North Dakota to wit:

The north 10 feet of the west 25 feet of Lot 3, Block 1 Daybreak Medical Addition, Bismarck, Burleigh County, North Dakota.

The grant of this easement is for the right to place the Grantee's Emergency Siren within the above-described lands for the purpose of constructing, re-constructing, operating, repairing, maintaining, and replacing the pole-mounted emergency siren/system. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted. Grantee shall at all times conduct all activities related to the emergency siren in a manner as not to interfere with or impede the operation and maintenance of Grantor's improvements on the property upon which this easement is located.

The Grantor hereby reserves the right to build, erect or place additional buildings, fences, structures, guy wires, anchors, or any additional infrastructure on the property which may affect or modify the Grantee's preferred access route to the Emergency Siren.

The undersigned agrees that the pole, wires, and other facilities installed on the above-described premises at the Grantee's expense, shall remain the property of the Grantee, removable at the option of the Grantee.



# LOCATION EXHIBIT

