



Engineering Department

DATE: February 27, 2024

FROM: Gabe Schell, City Engineer

ITEM: Silver Ranch Fourth Addition Easements

REQUEST:

Approve dedication and acceptance of Watermain, Sanitary Sewer, and Access easements as part of Silver Ranch Fourth Addition.

BACKGROUND INFORMATION:

Easements for Watermain, Sanitary Sewer, and Access are proposed within Silver Ranch Fourth Addition and adjacent unplatted areas in northeast Bismarck. These easements allow for the placement of municipal infrastructure both outside the platted boundary and for turnarounds for emergency service vehicles. It is anticipated these easements would be released in the future with subsequent platting and extension of the roadways and underground utilities. These easements satisfy the condition set by Commission during the approval of the plat on December 26, 2023.

At the July 18, 2023 Commission meeting, a previous version of these easements was approved in conjunction with the previous version of the plat. These easements will replace those unrecorded easements related to the previous iteration of Silver Ranch Fourth Addition.

RECOMMENDED CITY COMMISSION ACTION:

Approve dedication and acceptance of Watermain, Sanitary Sewer, and Access Easements as part of Silver Ranch Fourth Addition.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Silver Ranch Fourth Easements

ACCESS EASEMENT

This dedication of an Access easement is made this _____ day of _____, 2024, between **Investcore, Inc.** whose address is 4614 Memorial Hwy, Mandan, ND 58554, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is 221 North 5th St., Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to run with the land at all times hereafter to construct, operate, maintain, and repair watermain, sanitary sewer, curb, gutter, and paving facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.
2. The real property for the Access easement herein dedicated, granted and reserved is owned by the Grantor and is described as follows:

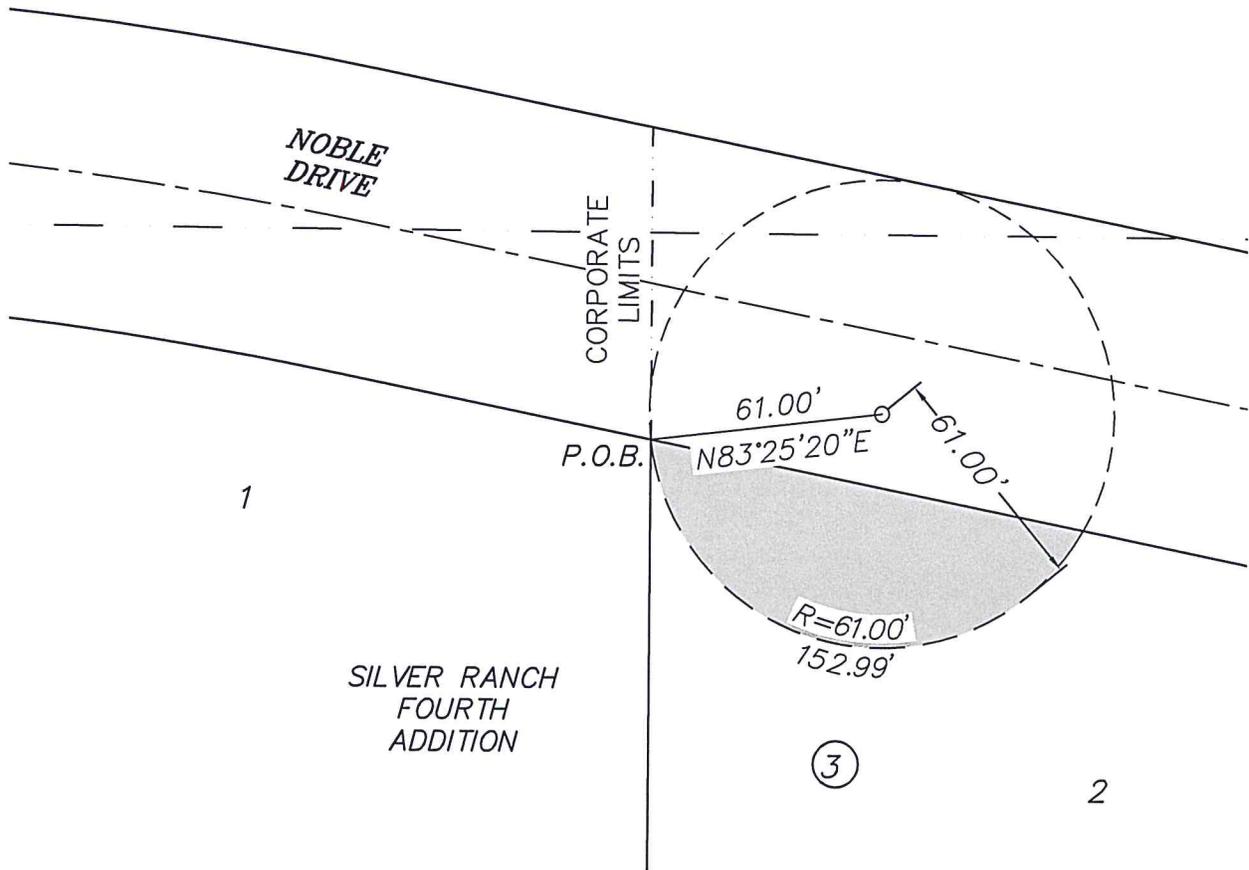
ALL THAT PART OF LOT 2 BLOCK 3 SILVER RANCH FOURTH ADDITION OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF THE DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2 BLOCK 3; THENCE NORTH 83 DEGREES 25 MINUTES 20 SECONDS EAST, A DISTANCE OF 61.00 FEET TO SAID ENDPOINT.

Descriptions 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 according to applicable development policies.
4. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution in 2024 and ending in 2123.

ACCESS EASEMENT EXHIBIT



ACCESS EASEMENT

ALL THAT PART OF LOT 2 BLOCK 3 SILVER RANCH FOURTH ADDITION OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF THE DESCRIBED LINE:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2 BLOCK 3; THENCE NORTH 83 DEGREES 25 MINUTES 20 SECONDS EAST, A DISTANCE OF 61.00 FEET TO SAID ENDPOINT.



FEBRUARY 1, 2024
SCALE 1" = 50'



SWENSON, HAGEN & COMPANY P.C.

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909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606

WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT

This dedication of a Watermain, Sanitary Sewer, and Access easement is made this _____ day of _____, 202_, between **Joan Millner** whose address is 1315 N 3rd St., Bismarck, ND 58501, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is 221 North 5th St., Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to run with the land at all times hereafter to construct, operate, maintain, and repair watermain, sanitary sewer, curb, gutter, and paving facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.
2. The real property for the Watermain, Sanitary Sewer, and Access easement herein dedicated, granted and reserved is owned by the Grantors and is described as follows:

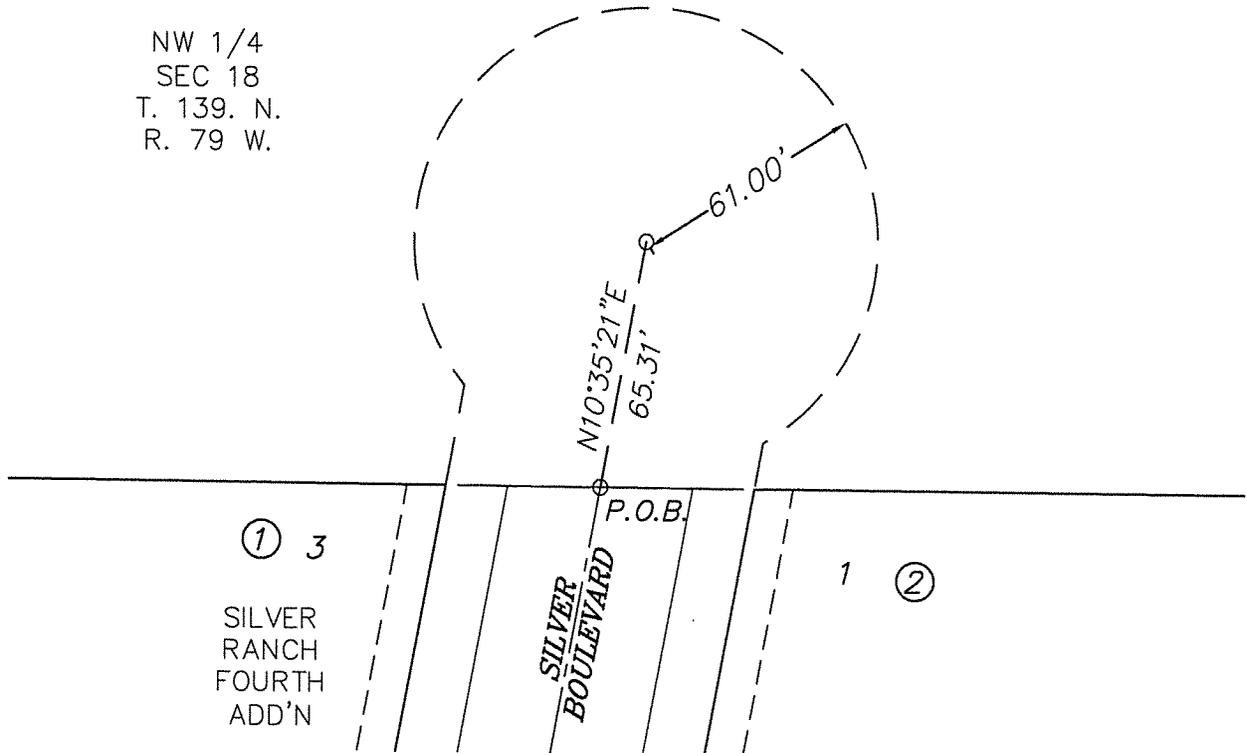
ALL THAT PART OF THE NW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA BEING 40' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF SILVER BOULEVARD AND THE NORTH LINE OF SILVER RANCH FOURTH ADDITION, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA; THENCE NORTH 10 DEGREES 35 MINUTES 21 SECOND EAST, ALONG THE EXTENSION OF SAID CENTERLINE TO THE ENDPOINT OF SAID EASEMENT, EXTENDING OR SHORTENING THE SIDELINES TO INTERSECT THE NORTH LINE OF SAID SILVER RANCH FOURTH ADDITION, AND ALL THAT PART OF SAID NW 1/4 LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF ABOVE SAID CENTERLINE.

Descriptions 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 according to applicable development policies.
4. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution in 2024 and ending in 2123.

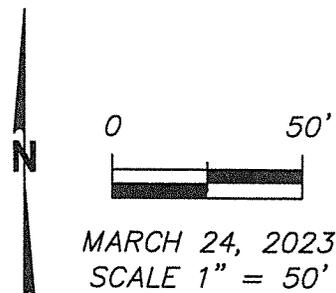
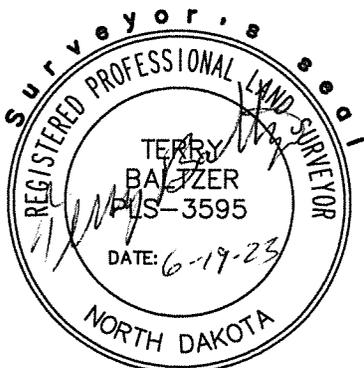
WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT EXHIBIT



WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT

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BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF SILVER BOULEVARD AND THE NORTH LINE OF SILVER RANCH FOURTH ADDITION, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA; THENCE NORTH 10 DEGREES 35 MINUTES 21 SECOND EAST, ALONG THE EXTENSION OF SAID CENTERLINE TO THE ENDPOINT OF SAID EASEMENT, EXTENDING OR SHORTENING THE SIDELINES TO INTERSECT THE NORTH LINE OF SAID SILVER RANCH FOURTH ADDITION, AND ALL THAT PART OF SAID NW 1/4 LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF ABOVE SAID CENTERLINE.



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Fax (701) 223 - 2606

WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT

This dedication of a Watermain, Sanitary Sewer, and Access easement is made this _____ day of _____, 202_, between **Silver Ranch 18, LLLP** whose address is 1117 N. 3rd St. Bismarck, ND 58501, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is 221 North 5th St., Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to run with the land at all times hereafter to construct, operate, maintain, and repair watermain, sanitary sewer, curb, gutter, and paving facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.
2. The real property for the Watermain, Sanitary Sewer, and Access easement herein dedicated, granted and reserved is owned by the Grantors and is described as follows:

ALL THAT PART OF THE UNPLATTED AREA OF NE 1/4 OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHEAST CORNER OF SILVER RANCH FOURTH ADDITION; THENCE SOUTH 89 DEGREES 41 MINUTES 50 SECONDS EAST, ALONG THE NORTH LINE OF SILVER RANCH THIRD ADDITION, A DISTANCE OF 52.54 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 10 SECOND EAST, A DISTANCE OF 31.00 FEET TO THE ENDPOINT.

Descriptions 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 according to applicable development policies.
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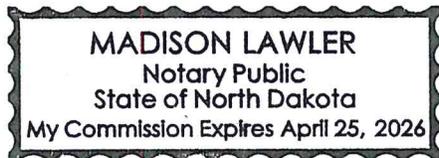
IN WITNESS WHEREOF, the Grantors have hereto fixed their signatures this the 9 day of February, 2023.

STATE OF North Dakota)
) SS
COUNTY OF Burleigh)

Donna Fricke

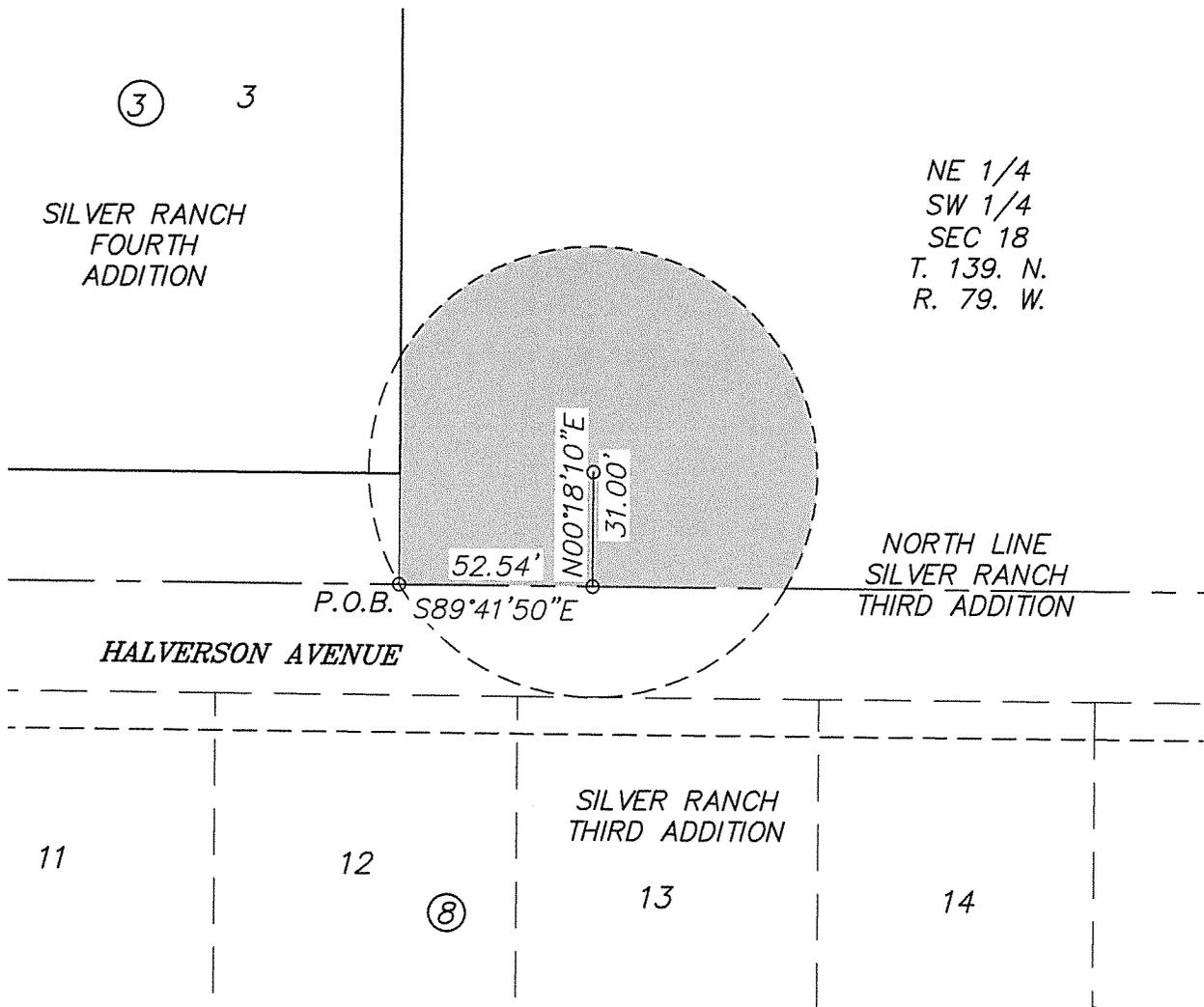
DONNA FRICKE, PARTNER
SILVER RANCH 18, LLLP
1117 N 3RD ST
BISMARCK, ND 58501
OWNER, NE 1/4 SW 1/4
SECTION 18
TOWNSHIP 139 NORTH
RANGE 79 WEST

On this 9 day of February, 2024, before me appeared Donna Fricke of Silver Ranch 18, LLLP, known to me to be the person that is described in and that she executed the foregoing instrument, and acknowledged that she executed the same.



Madison Lawler
Notary Public, Burleigh County, ND
My Commission Expires: April 25, 2026

WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT EXHIBIT



WATERMAIN, SANITARY SEWER, & ACCESS EASEMENT

ALL THAT PART OF THE UNPLATTED AREA OF THE NE 1/4 OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF FOLLOWING DESCRIBED LINE:

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FEBRUARY 8, 2024
SCALE 1" = 50'



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BEGINNING AT THE EASTERN TERMINUS OF THE CENTERLINE OF NOBLE DRIVE RIGHT-OF-WAY WITHIN SILVER RANCH FOURTH ADDITION; THENCE SOUTH 78 DEGREES 25 MINUTES 46 SECONDS EAST, A DISTANCE OF 65.00 FEET TO THE END POINT OF SAID EASEMENT, EXTENDING OR SHORTENING THE SIDELINES TO INTERSECT THE EAST LINE OF SAID SILVER RANCH FOURTH ADDITION, AND ALL THAT PART OF SAID NE 1/4 LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF ABOVE SAID CENTERLINE.

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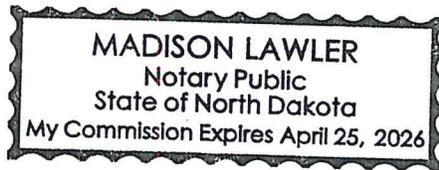
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Donna Fricke

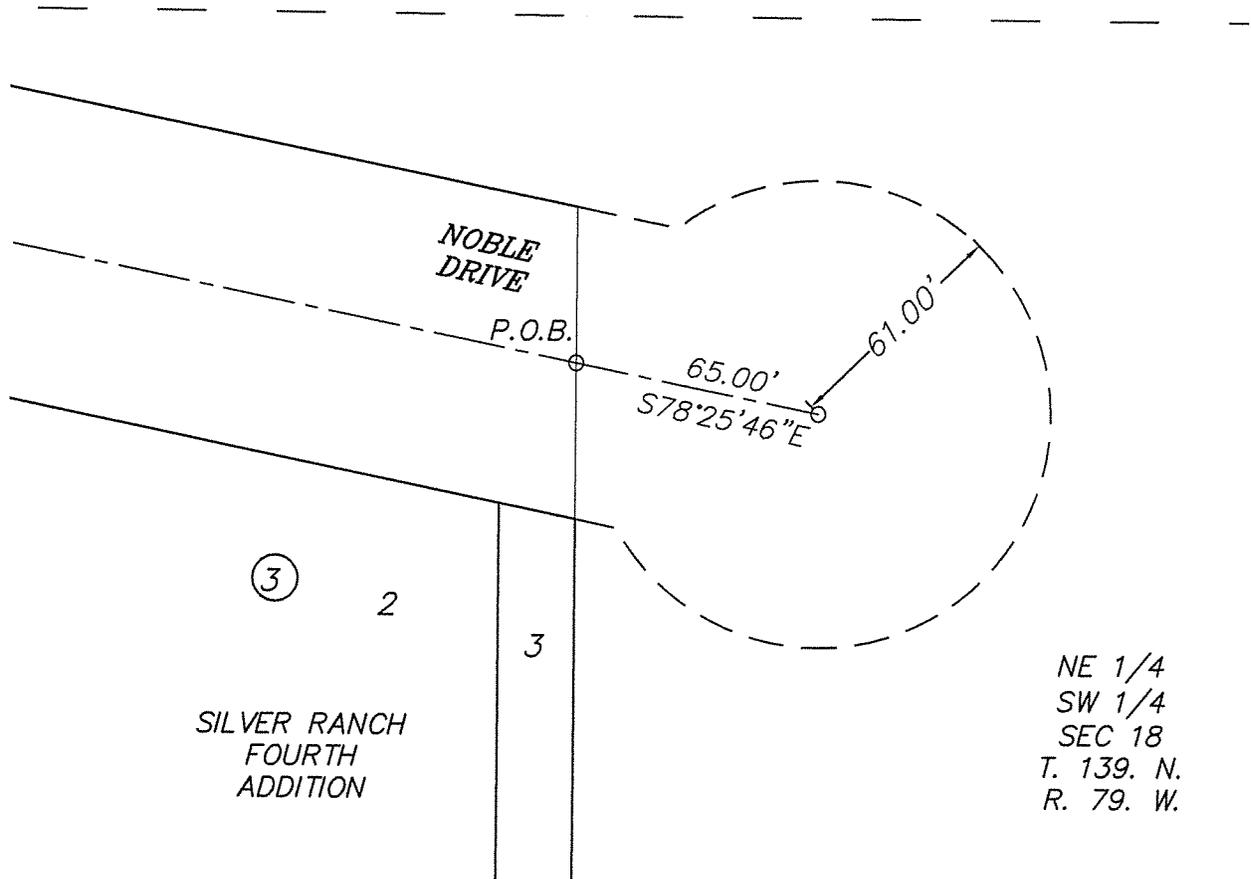
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BISMARCK, ND 58501
OWNER, NE 1/4 SW 1/4
SECTION 18
TOWNSHIP 139 NORTH
RANGE 79 WEST

On this 9 day of February, 2024, before me appeared Donna Fricke of Silver Ranch 18, LLLP, known to me to be the person that is described in and that she executed the foregoing instrument, and acknowledged that she executed the same.



Madison Lawler
Notary Public, Burleigh County, ND
My Commission Expires: April 25, 2026

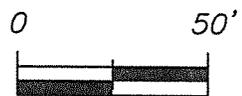
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