

FLOOD DIVERSION AUTHORITY  
FINANCE COMMITTEE  
AGENDA FOR WEDNESDAY, MAY 11, 2016

***Fargo City Commission Chambers***  
**2:30 PM**

1. Call to order
2. Approval of the minutes from the previous meeting Item No. 2
3. Approval of bills Item No. 3
4. Financial update (Costin) Item No. 4
5. Short term financing update (Costin)
6. Property Acquisitions (Dodds)
  - a. Case Plaza property Item No. 6a
  - b. Romine property Item No. 6b
7. Other business
8. Next meeting—June 8, 2016
9. Adjournment

cc: Local Media  
Flood Diversion Board of Authority  
CH2M  
AE2S

**FLOOD DIVERSION FINANCE COMMITTEE  
APRIL 13, 2016—3:30 PM**

**1. MEETING TO ORDER**

A meeting of the Flood Diversion Finance Committee was held on Wednesday, April 13, 2016, at 3:30 PM in the Fargo City Commission Chambers, Fargo City Hall, with the following present: Cass County Administrator Keith Berndt; Cass County Joint Water Resource District Chairman Mark Brodshaug; Fargo Finance Director Kent Costin; Clay County Auditor/Treasurer Lori Johnson; Fargo City Mayor Tim Mahoney; Cass County Auditor Mike Montplaisir; Moorhead City Council Member Nancy Otto; Cass County Commissioner Rick Steen; Cass County Commission Representative Darrell Vanyo; Moorhead Finance Director Wanda Wagner; and Fargo City Commissioner Mike Williams.

Also present were Eric Dodds, AE2S; Rocky Schneider, AE2S; Scott Stenger, ProSource Technologies, Inc.; Jim Nyhof, Oxbow City Mayor; and members of the Land Management Committee.

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

***MOTION, passed***

**Ms. Otto moved and Mr. Vanyo seconded to approve the minutes from the March 31, 2016, meeting as presented. Motion carried.**

**3. APPROVAL OF BILLS**

Mr. Costin said the largest expense for the month is the reimbursement to the Cass County Joint Water Resource District (CCJWRD), of which \$9.3 million was for the purchase of the existing downtown Fargo Public Schools property and relocation property.

***MOTION, passed***

**Dr. Mahoney moved and Ms. Otto seconded to approve the bills in the amount of \$9,682,771.45 and to forward them to the Flood Diversion Board of Authority. On roll call vote, the motion carried unanimously.**

**4. FINANCIAL UPDATE**

Mr. Costin reviewed the financial statements for March. The total disbursed to date is \$196,451,635. About \$17.7 million has been expended from the FY 2016 budget.

Dr. Mahoney clarified that the total disbursed to date for the project is included in the recently updated project budget. Mr. Costin agreed and said the \$2.1 billion project budget includes costs already expended.

There was discussion on what state appropriations have been utilized thus far.

***MOTION, passed***

**Dr. Mahoney moved and Mr. Berndt seconded to approve the financial statement for March as presented and to forward it to the Flood Diversion Board of Authority. Motion carried.**

**5. TEMPORARY FINANCING**

Mr. Montplaisir said there have been meetings with U.S. Bank concerning securing

additional temporary financing in the amount of \$100 million, which is in addition to the \$100 million that has already been borrowed. The current request would secure financing for the remainder of the FY 2016 budget and into 2017. Mr. Montplaisir is requesting authorization from the group to continue working with U.S. Bank on an agreement, or to solicit other sources of financing if an agreement cannot be reached.

Dr. Mahoney said questions have been raised as to why the original U.S. Bank loans were taken out instead of using a pay as you go approach and why the Bank of North Dakota was not utilized for these services. Mr. Montplaisir said the Bank of ND was approached before securing financing through U.S. Bank, but they could not match the needs for the amount and type of financing required. Short term financing is needed to assist in completing the project in a timely manner as if the timeline for completion is extended the project will ultimately cost more and have a more significant and prolonged negative impact on the community and citizens.

***MOTION, passed***

**Dr. Mahoney moved and Ms. Otto seconded to continue discussions with the goal of extending financing agreements with U.S. Bank to include another \$100 million of temporary financing through July 31, 2017; and if unable to reach an agreement with U.S. Bank, to work with Springsted to solicit other sources of financing. Motion carried.**

**6. FREDRICKSON & BYRON CONTRACT**

Rocky Schneider, AE2S, said the Fredrickson & Byron contract is a government affairs contract for lobbying services in Minnesota. After recent discussions it has become apparent that continued and increased communication is needed with the Minnesota Legislature. Kevin Goodno is the lead lobbyist on the contract. The contract terms are for a \$3500 per month fee through June 30, 2018.

Mr. Steen asked why the contract is for two years as most contracts of this nature have a one year term. Mr. Schneider said the MN Legislature meets every year, but they bond every two years. The two year contract is to contract through an entire bonding session.

***MOTION, passed***

**Mr. Steen moved and Mr. Vanyo seconded to approve the Fredrickson & Byron contract with the provision that the Term of Agreement be amended to a one year term ending on June 30, 2017, and to recommend its approval to the Flood Diversion Board of Authority. Discussion: Mr. Vanyo said a provision should also be added to require regular feedback or reports for accountability purposes. Motion carried.**

***MOTION, passed***

**Mr. Berndt moved and Mr. Steen seconded to request the Fredrickson & Byron contract include a provision requiring quarterly reports be submitted to the Flood Diversion Board of Authority. Discussion: Ms. Otto forewarned that the firm may not wish to make some of their work public. Ms. Otto asked if representatives will attend future meetings. Mr. Schneider said representatives will attend meetings at the request of the board. Motion carried.**

The remainder of the meeting was conducted in conjunction with the Land Management Committee.

**7. PROPERTY ACQUISITIONS, Nine properties approved for acquisition**

Eric Dodds, AE2S, said 32 properties have been acquired in Oxbow, and the final eight homes plus one vacant lot are up for approval today. All proposals are consistent with standards developed during preceding acquisitions, the Uniform Relocation Act (URA), and the MOU between Oxbow and the Diversion Authority. The acquisition amounts have also been included in the \$2.1 billion project estimate.

A cover letter provided to the group has broken the acquisitions down into categories: three unique, high-end homes with detailed analyses by the contracted home architect; three “typical” homes using the same unit cost methodology that has been used for previously approved acquisitions; two residential properties whose owners have decided to leave Oxbow and not to build replacement homes; and one vacant lot.

There was discussion on the appraisal process, the use and management of construction contingency funds, and house to home allowances.

Debates property

***MOTION, passed***

**Mr. Steen moved and Mr. Vanyo seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement, Replacement Housing Agreement, and payment for a replacement lot with Todd Debates as presented. On roll call vote, the motion carried with Mr. Montplaisir, Mr. Berndt, Mr. Vanyo, Mr. Costin, Ms. Johnson, Ms. Wagner, Mr. Brodshaug, Dr. Mahoney, Ms. Otto, and Mr. Steen voting “Yes”; Mr. Williams voting “No”.**

Podolak property

Mr. Vanyo said despite variances in purchase agreements, the first three homes up for approval ultimately have very similar purchase agreement plus replacement housing agreement totals. Scott Stenger, ProSource Technologies, Inc., said the replacement housing allowance is not based on appraisals, but the cost to replace the existing home.

Mr. Montplaisir reminded the group that due to the requirements of the URA and the house to home provision, these buyouts are different than other types of buyouts the city or county have encountered in the past.

***MOTION, passed***

**Mr. Vanyo moved and Mr. Steen seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement, Replacement Housing Agreement, and payment for a replacement lot with Michael and Brenda Podolak as presented. On roll call vote, the motion carried with Mr. Montplaisir, Mr. Berndt, Mr. Vanyo, Mr. Costin, Ms. Johnson, Ms. Wagner, Mr. Brodshaug, Dr. Mahoney, Ms. Otto, and Mr. Steen voting “Yes”; Mr. Williams voting “No”.**

Champ property

Ms. Wagner asked if the United States Army Corps of Engineers (USACE) approved the appraisal of the Champ property as the information was not included in the summary report. Mr. Stenger said the appraisal was approved by USACE.

Mr. Costin said a cost for stone façade in the amount of \$28,000 to meet a covenant was listed in the summary report, but photos of the property in question do not show stone façade. Jim Nyhof, Oxbow City Mayor, said the property's existing neighborhood does not have the requirement of stone façade in its covenant, but the new neighborhood does. Mr. Costin said he believes some of the covenant standards should be paid for by Oxbow as they are community betterments.

Dr. Mahoney asked why the outdoor space allowance for the property is so much higher than the others. Mr. Stenger said the property has a patio, canopy, pool, and pool deck.

***MOTION, passed***

**Mr. Berndt moved and Ms. Otto seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement, Replacement Housing Agreement, and payment for a replacement lot with Sheri Champ as presented. Discussion: Mr. Costin asked if covenant enhancements were an agreed upon expense in the Oxbow MOU Amendment. Mr. Brodshaug said while these expenses were not specifically addressed, the policy has been adopted and a precedence was set with earlier acquisitions. It also fits the spirit of the MOU. On roll call vote, the motion carried with Mr. Montplaisir, Mr. Berndt, Mr. Vanyo, Ms. Johnson, Ms. Wagner, Mr. Brodshaug, Dr. Mahoney, and Ms. Otto voting "Yes"; Mr. Costin and Mr. Williams voting "No"; and Mr. Steen abstaining.**

Mr. Dodds said similar discussion points were brought with the creation of the Oxbow MOU Amendment. Lot sale proceeds coming back to the Diversion Authority was a compromise to offset some of the covenant enhancement costs, and it will ultimately net the Diversion Authority \$8 million.

Mr. Williams left for the remainder of the meeting.

McQuillan, Strei, and Westlund/Johnson properties***MOTION, passed***

**Mr. Berndt moved and Mr. Vanyo seconded to authorize the Cass County Joint Water Resource District to execute Purchase Agreements, Replacement Housing Agreements, and payments for replacement lots with Chad M. and Heidi L. McQuillan; Michael and Donnie Strei; and Casey E. Johnson and Heather Westlund as presented. Discussion: Mr. Costin said the McQuillan and Strei properties do not have utility hookup costs included under the Project Required Costs line item like other properties. Mr. Stenger said every builder presents their costs differently and their requests are followed. If a change order is needed in the future it will be brought forward for discussion and approval. On roll call vote, the motion carried unanimously.**

Leake property**MOTION, passed**

Dr. Mahoney moved and Mr. Vanyo seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement with Daniel and Ester Leake as presented. On roll call vote, the motion carried unanimously.

Rustvang property

Mr. Montplaisir said the Rustvangs are planning on moving out of Oxbow. Mr. Stenger said the architect and landscape architect did review the property but as a replacement housing agreement is not necessary for the acquisition it was not part of negotiations.

**MOTION, passed**

Mr. Berndt moved and Mr. Steen seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement with Jon and Joan Rustvang as presented. Discussion: Dr. Mahoney asked why the Purchase Agreement is for an amount over \$500,000 higher than the USACE approved appraisal. Mr. Stenger said multiple factors caused a large disparity between appraisals for the property, including price differentials for lot price, economic obsolescence, and effective depreciation. Ultimately, the cost to construct the home adjusted for inflation plus data from other purchases to date resulted in the higher value. Mr. Montplaisir asked if there are costs in addition to the purchase price. Mr. Stenger said at this time it appears the homeowners will purchase a replacement home of lesser value, so there will be no replacement value cost. On roll call vote, the motion carried unanimously.

Newman property**MOTION, passed**

Dr. Mahoney moved and Mr. Vanyo seconded to authorize the Cass County Joint Water Resource District to execute a Purchase Agreement with Russ Newman as presented. On roll call vote, the motion carried unanimously.

**8. OTHER BUSINESS**

Mr. Costin said a check was received from the City of Oxbow in the amount of \$2.9 million for lot sale proceeds.

**9. UPCOMING MEETING SCHEDULE**

Mr. Dodds said a second meeting may be scheduled in April to approve in-town property acquisitions.

The next regularly scheduled meeting will be held on May 11<sup>th</sup>, at 2:30 PM.

**10. ADJOURNMENT****MOTION, passed**

On motion by Mr. Vanyo, seconded by Ms. Otto and all in favor, the meeting was adjourned at 5:08 PM.

## Finance Committee Bills for May 2016

| Vendor                                    | Description                                    | Amount          |
|---|--|-----------------|
| Cass County Joint Water Resource District | Reimburse Diversion bills                      | \$ 3,085,034.24 |
| Fredrickson & Byron, P.A.                 | Government relations flat fee - May            | \$ 3,500.00     |
| Erik R. Johnson & Associates, Ltd.        | General Legal Matters through April 25, 2016   | \$ 12,812.30    |
| Erik R. Johnson & Associates, Ltd.        | LEERDS Matters through April 25, 2016          | \$ 841.50       |
| Dorsey & Whitney LLP                      | Legal Services Rendered through March 31, 2016 | \$ 50,281.25    |
| Ohnstad Twichell, P.C.                    | Bond counsel work; PPP Research                | \$ 79,427.60    |
|   |  |                 |
| Total Bills Received in April             |  | \$ 3,231,896.89 |



Cass County  
Joint Water  
Resource  
District

April 29, 2016

Mark Brodshaug  
Chairman  
Fargo, North Dakota

Rodger Olson  
Manager  
Leonard, North Dakota

Dan Jacobson  
Manager  
West Fargo, North Dakota

Ken Loughheed  
Manager  
Gardner, North Dakota

Jacob Gust  
Manager  
Fargo, North Dakota

Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

Greetings:

RE: Metro Flood Diversion Project  
In-Town Levees Project  
Diversion Project Assessment Committee (DPAC)  
Oxbow-Hickson-Bakke Ring Levee Project

Enclosed please find copies of bills totaling \$3,085,034.24 regarding the above referenced projects. The breakdown is as follows:

|                                |              |
|--------------------------------|--------------|
| Metro Flood Diversion          | \$ 55,020.22 |
| In-Town Levees                 | 394,601.44   |
| DPAC                           | 270.00       |
| Oxbow-Hickson-Bakke Ring Levee | 2,635,142.58 |

At this time, we respectfully request 100% reimbursement as per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated June 1, 2015.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Carol Harbeke Lewis  
Secretary-Treasurer

Enclosures

Carol Harbeke Lewis  
Secretary-Treasurer  
1201 Main Avenue West  
West Fargo, ND 58078-1301

701-298-2381  
FAX 701-298-2397  
[wrld@casscountynd.gov](mailto:wrld@casscountynd.gov)  
[casscountygov.com](http://casscountygov.com)



METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES

Updated 4/29/16

| Invoice Paid | Invoice Date | Invoice No. | Project No. | Amount    | Vendor                     | Description  |
|--------------|--------------|-------------|-------------|-----------|----------------------------|--|
| 4/14/2016    | 3/21/2016    | 141270      | 100007      | 6,626.43  | Ohnstad Twichell, P.C.     | Legal-Diversion Right of Entry                     |
| 4/14/2016    | 3/21/2016    | 141356      | 130007      | 33,668.99 | Ohnstad Twichell, P.C.     | Legal-Diversion ROW Acquisition                    |
| 4/14/2016    | 3/21/2016    | 141357      | 90007       | 8,352.00  | Ohnstad Twichell, P.C.     | Legal-DA Cost share agreement and P3, open records |
| 4/14/2016    | 3/21/2016    | 141305      | 160007      | 5,616.00  | Ohnstad Twichell, P.C.     | Legal-Inlet Right of Entry                         |
| 4/14/2016    | 3/30/2016    | 7715        |             | 756.80    | Robert and Judith Anderson | Incidental expense payment                         |

Total 55,020.22

IN-TOWN LEVEES INVOICES

| Invoice Paid | Invoice Date | Invoice No.  | Project No. | Amount     | Vendor                            | Description   |
|--------------|--------------|--------------|-------------|------------|-----------------------------------|---|
| 04/14/16     | 03/21/16     | 141306       | 160007      | 3,220.20   | Ohnstad Twichell, P.C.            | Mondragon Eminent domain action                                   |
| 04/14/16     | 03/21/16     | 141307       | 160007      | 128.00     | Ohnstad Twichell, P.C.            | Eminent domain-Oak Terrace Condo                                  |
| 4/14/2016    | 4/7/2016     | 381062195    | 479407      | 130,000.00 | CH2MHill                          | Construction Management services                                  |
| 4/13/2016    | 4/12/2016    |              |             | 37,020.00  | Bornem Family Limited Partnership | Easements   |
| 4/14/2016    |              |              |             | 71,641.05  | Spirit Properties                 | Sidestreet relocation   |
| 4/28/2016    | 3/30/2016    | 7715.08.0290 |             | 1,694.70   | Nathan Qual                       | final residential down payment assistance                         |
| 4/14/2016    | 3/21/2016    | 494519465    |             | 18.06      | Xcel Energy                       | Service to 301 3rd Ave N  |
| 4/14/2016    | 3/30/2016    | 495731100    |             | 63.51      | Xcel Energy                       | Service to 16 N Terrace and 724 N River Rd                        |
| 4/14/2016    | 4/1/2016     | 495909488    |             | 77.80      | Xcel Energy                       | Service to 1330 Elm St N  |
| 4/14/2016    | 4/1/2016     | 495909492    |             | 16.87      | Xcel Energy                       | Service to 1314 Elm St  |
| 4/14/2016    | 4/1/2016     |              |             | 178.10     | Xcel Energy                       | Service to 18 & 24 N Terrace and 1314, 1322, 1326 and 1330 Elm St |
| 4/28/2016    | 4/18/2016    | 498092138    |             | 20.54      | Xcel Energy                       | Service to 16 N Terrace   |
| 4/28/2016    | 4/20/2016    | 498266438    |             | 10.03      | Xcel Energy                       | Service to 24 N Terrace   |
| 4/28/2016    | 4/20/2016    | 498266465    |             | 11.14      | Xcel Energy                       | Service to 18 N Terrace   |
| 4/14/2016    | 4/7/2016     | 381062200    |             | 150,501.44 | CH2MHill                          | Land Management Services - see OHB (78%)                          |

Total 394,601.44

DIVERSION PROJECT ASSESSMENT DISTRICT (DPAC) INVOICES

| Invoice Paid | Invoice Date | Invoice No. | Project No. | Amount | Vendor                 | Description |
|--------------|--------------|-------------|-------------|--------|------------------------|-------------|
| 4/14/2016    | 3/21/2016    | 141275      | 120007      | 270.00 | Ohnstad Twichell, P.C. | Legal-DPAC  |

Total 270.00

OXBOW-HICKSON-BAKKE RING LEVEE INVOICES

| Invoice Paid | Invoice Date | Invoice No. | Purchase Order No. | Project No. | Amount       | Vendor                             | Description                               |
|--------------|--------------|-------------|--------------------|-------------|--------------|------------------------------------|---|
| 4/14/2016    | 3/21/2016    | 141355      |                    | 140007      | 7,159.00     | Ohnstad Twichell, P.C.             | Legal-ROW                                 |
| 4/14/2016    | 6/2/2015     | 15028       |                    |             | 12,800.00    | Techtron Engineering Inc           | Asbestos and mold surveys                 |
| 3/30/2016    | 3/29/2016    |             |                    |             | 76,426.00    | Joel Wold                          | builder down payment                      |
| 3/30/2016    | 3/29/2016    |             |                    |             | 194,000.00   | Joel Wold                          | earnest money                             |
| 4/7/2016     | 4/6/2016     |             |                    |             | 107,000.00   | Joel Wold                          | lot payment                               |
| 4/14/2016    | 4/14/2016    |             |                    |             | 1,000,000.00 | VISIONBank                         | earnest money for Rustvang property       |
| 4/19/2016    | 4/19/2016    |             |                    |             | 150,000.00   | Michael Strei and Donnie Strei     | lot payment                               |
| 4/19/2016    | 4/19/2016    |             |                    |             | 46,211.25    | Michael Strei and Donnie Strei     | builder down payment                      |
| 4/19/2016    | 4/19/2016    |             |                    |             | 400,000.00   | Daniel and Esther Leake            | earnest money                             |
| 4/19/2016    | 4/19/2016    |             |                    |             | 383,631.20   | The Title Company                  | escrow for Goldsmith property             |
| 4/26/2016    | 4/25/2016    |             |                    |             | 117,000.00   | Casey Johnson and Heather Westlund | lot payment                               |
| 4/26/2016    | 4/25/2016    |             |                    |             | 76,259.00    | Casey Johnson and Heather Westlund | builder down payment                      |
| 4/14/2016    | 3/30/2016    |             |                    |             | 3,503.65     | Cass County Treasurer              | tax for Losing property 78-0010-01400-010 |

|           |           |           |        |             |           |                                  |  |
|-----------|-----------|-----------|--------|-------------|-----------|----------------------------------|--|
| 4/14/2016 | 4/5/2016  |           |        | 11 invoices | 1,652.72  | Cass County Electric Cooperative | Service to various addresses   |
| 4/18/2016 | 4/18/2016 |           |        |             | 264.00    | Cass Rural Water                 | water reconnect for 5059 Makenzie Cir  |
| 4/28/2016 | 4/13/2016 |           |        | 2 invoices  | 269.67    | Cass County Electric Cooperative | Service to 17495 52 St SE and 326 Schnell Dr   |
| 4/14/2016 | 3/4/2016  | 56403     | 5683-5 | R12.00049   | 3,872.15  | Ulteig Engineers                 | Land Management Services, relocation assistance, land acquisition and on call services |
| 4/14/2016 | 4/7/2016  | 381062200 |        | 479407      | 42,449.13 | CH2MHill                         | Land management services (22%)   |
| 4/28/2016 | 4/12/2016 | 57217     | 5683-5 | R12.00049   | 7,985.00  | Ulteig Engineers                 | Land Management Services, relocation assistance, land acquisition and on call services |
| 4/14/2016 | 3/29/2016 | B054608   |        | B14-04209   | 1,830.75  | Braun Intertec                   | Materials testing services County Rd 18 and County Rd 81                               |
| 4/14/2016 | 4/2/2016  | 5165      |        |             | 1,526.04  | Sentry Security Inc              | Security patrol services   |
| 4/28/2016 | 4/16/2016 | 5184      |        |             | 1,303.02  | Sentry Security Inc              | Security patrol services   |

**Total 2,635,142.58**

**OXBOW COUNTRY CLUB INVOICES**

| Invoice Paid | Invoice Date | Invoice No. | Project No. | Amount              | Vendor | Description |
|--------------|--------------|-------------|-------------|---------------------|--------|-------------|
|              |              |             |             | <b>Total</b>        |        |             |
|              |              |             |             | <b>0.00</b>         |        |             |
|              |              |             |             | <b>Grand Total</b>  |        |             |
|              |              |             |             | <b>3,085,034.24</b> |        |             |

REMITTANCE PAGE

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

Please remit this page with your payment. Thank you. We appreciate your business.

Invoice: 1366359  
Client Account: 072720.0001  
Regarding: Government Relations LOB 30321  
Invoice Date: May 5, 2016

|                    |             |
|--------------------|-------------|
| Total Fees:        | \$ 3,500.00 |
| Total This Invoice | \$ 3,500.00 |

***Payment is due within 30 days from receipt of invoice***

If you have any questions please email [accounting@fredlaw.com](mailto:accounting@fredlaw.com) or contact a client representative at 612.492.7574.

# Fredrikson

**& BYRON, P.A.**

## INVOICE DETAIL

Diversion Board of Authority  
211 9th Street South  
P.O. Box 2806  
Fargo, ND 58108-2806

Invoice: 1366359  
Client Account: 072720.0001  
Regarding: Government Relations LOB 30321  
Invoice Date: May 5, 2016

Government Relations flat fee payment 11 of 12.

|                |             |
|----------------|-------------|
| Total For Fees | \$ 3,500.00 |
|----------------|-------------|

|                    |             |
|--------------------|-------------|
| Total This Invoice | \$ 3,500.00 |
|--------------------|-------------|

Erik R. Johnson & Associates, Ltd.  
*Attorneys at Law*

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo-Auditor's Office  
Attn: Kent Costin  
200 North Third Street  
Fargo, ND 58102

April 25, 2016  
Invoice No. 2429

RE: Metro Flood Project-General Legal Matters

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**For Legal Services Rendered Through April 25, 2016**

**INVOICE TOTAL**

|   |                    |
|---|--------------------|
| Total for Current Legal Fees                        | \$12,812.30        |
| Total for Current Disbursements and Service Charges | \$                 |
| <b>Total for Current Invoice</b>                    | <b>\$12,812.30</b> |

**Summary of Account**

|                    |             |
|--------------------|-------------|
| *Prior Balance Due | \$          |
| Total Amount Due   | \$12,812.30 |

\*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.

Erik R. Johnson & Associates, Ltd.  
*Attorneys at Law*

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

City of Fargo-Auditor's Office  
Attn: Kent Costin  
200 North Third Street  
Fargo, ND 58102

April 25, 2016  
Invoice No. 2430

RE: Metro Flood Project-LERRDS

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**For Legal Services Rendered Through April 25, 2016**

**INVOICE TOTAL**

|   |                 |
|---|-----------------|
| Total for Current Legal Fees                        | \$841.50        |
| Total for Current Disbursements and Service Charges | \$              |
| <b>Total for Current Invoice</b>                    | <b>\$841.50</b> |

**Summary of Account**

|                    |          |
|--------------------|----------|
| *Prior Balance Due | \$0      |
| Total Amount Due   | \$841.50 |

\*If payment has been submitted for prior balance due, please disregard.

We appreciate your business.



MINNEAPOLIS OFFICE  
612-340-2600

(Tax Identification No. 41-0223337)

RECEIVED  
DATE 4-29-16

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Fargo-Moorhead Flood Diversion Bd of Authority  
c/o Erik R. Johnson & Associates, Ltd.  
Attn: Erik Johnson  
505 Broadway, Suite 206  
Fargo, ND 58102

April 27, 2016  
Invoice No. 3274284

Client-Matter No.: 491379-00001  
Red River Diversion Project

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For Legal Services Rendered Through March 31, 2016

INVOICE TOTAL

|   |                    |
|---|--------------------|
| Total For Current Legal Fees                        | \$50,206.25        |
| Total For Current Disbursements and Service Charges | \$75.00            |
| <b>Total For Current Invoice</b>                    | <b>\$50,281.25</b> |

For your convenience, please remit payment to the address below or we offer the option of remitting payment electronically by wire transfer. If you have any questions regarding this information, please contact the lawyer you are working with on this project or Dorsey's Accounts Receivable Department at 1-800-861-0760. Thank you.

Mailing Instructions:  
Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

Wire Instructions:  
U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402

ABA Routing Number: 091000022  
Account Number: 1602-3010-8500  
Swift Code: USBKUS44IMT

Please make reference to the invoice number

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY

**OHNSTAD TWICHELL, P.C.**  
**ATTORNEYS AT LAW**

901 13TH AVENUE EAST  
P.O. Box 458  
WEST FARGO, ND 58078-0458  
(701) 282-3249

15-1395 JTS Invoice # 142339  
Flood Diversion Board  
Bond Counsel Work – PPP

DATE: April 29, 2016

To: Flood Diversion Board  
PO Box 2806  
Fargo, ND 58108-2806

AMOUNT REMITTED \$ \_\_\_\_\_

Please detach. Return upper portion with your payment.  
Payments received after the statement date will be reflected on next month's statement. Thank you.

**PROFESSIONAL SERVICES RENDERED**

| Attorney         | Hours         | Rate     | Fees               |
|------------------|---------------|----------|--------------------|
| JTS              | 112.20        | \$290.00 | \$32,538.00        |
| CMM              | 4.2           | \$290.00 | \$1,218.00         |
| RGH              | .7            | \$290.00 | \$203.00           |
| KJB              | 81.20         | \$225.00 | \$18,270.00        |
| SNW              | .5            | \$250.00 | \$125.00           |
| TJL              | 87.4          | \$175.00 | \$15,295.00        |
| AJM              | 70.90         | \$125.00 | \$8,862.50         |
| ABG              | 3.90          | \$125.00 | \$487.50           |
| HCG              | .3            | \$125.00 | \$37.50            |
| <b>Total</b>     | <b>361.30</b> |          | <b>\$77,036.50</b> |
| <b>Expenses:</b> |               |          |                    |
| Westlaw Research |               |          | \$ 500.00          |
| Postage          |               |          | \$1,011.00         |
| Travel Expense   |               |          | \$880.10           |
| <b>Total</b>     |               |          | <b>\$79,427.60</b> |

\* Drafting of documents and work streams related to financing, P3, and joint powers agreements.

|   | Hourly Rate |
|---|-------------|
| JTS - John T. Shockley, Partner, Supervising Attorney | \$290.00    |
| CMM - Christopher M. McShane, Partner                 | \$290.00    |
| RGH, Robert G. Hoy, Partner                           | \$290.00    |
| KJB - Katie J. Bertsch, Associate                     | \$225.00    |
| SNW – Sarah M. Wear, Associate                        | \$250.00    |
| TJL – Tyler J. Leverington, Associate                 | \$175.00    |
| AJM - Andrea J. Murphy, Paralegal                     | \$125.00    |
| ABG – Abby R. Pitsenbarger, Paralegal                 | \$125.00    |
| HCG – Hannah C. Gilbert, Paralegal                    | \$125.00    |

**15-1395 JTS - Flood Diversion Board - Bond Counsel Work – PPP Research 1**

OHNSTAD TWICHELL, P.C.  
WEST FARGO, NORTH DAKOTA 58078

COST ADVANCES BY US FOR YOUR ACCOUNT, FOR WHICH WE HAVE NOT  
BEEN BILLED, WILL APPEAR ON YOUR NEXT STATEMENT.



**FM Diversion Authority**  
**Fiscal Accountability Report Design Phase (Fund 790)**  
**As of 4/30/2016**

|   | 2011           | 2012              | 2013              | 2014              | 2015              | 2016              | Cumulative<br>Totals |
|---|----------------|-------------------|-------------------|-------------------|-------------------|-------------------|----------------------|
| <b>Revenues</b>                           |                |                   |                   |                   |                   |                   |                      |
| City of Fargo                             | 443,138        | 7,652,681         | 7,072,961         | 19,373,131        | 28,310,373        | 4,388,286         | 67,240,570           |
| Cass County                               | 443,138        | 7,652,681         | 7,072,961         | 19,373,131        | 28,310,373        | 4,192,236         | 67,044,520           |
| State Water Commission                    | -              | -                 | 3,782,215         | 602,918           | 31,056,740        | 15,683,089        | 51,124,962           |
| Other Agencies                            | 98,475         | 1,700,595         | 1,571,769         | 4,305,140         | 6,291,194         | 911,100           | 14,878,273           |
| City of Oxbow MOU Repayment               | -              | -                 | -                 | -                 | -                 | 2,894,000         | 2,894,000            |
| Reimbursements                            | -              | -                 | -                 | -                 | -                 | 16,631            | 16,631               |
| Lease/Rental Payments                     | -              | -                 | 17,358            | 154,180           | 180,341           | 202,381           | 554,260              |
| Asset Sales                               | -              | -                 | -                 | 616,774           | 315,892           | 175,190           | 1,107,856            |
| Miscellaneous                             | -              | -                 | 1,705             | 626               | 427               | -                 | 2,758                |
| <b>Total Revenues</b>                     | <b>984,750</b> | <b>17,005,957</b> | <b>19,518,970</b> | <b>44,425,900</b> | <b>94,465,339</b> | <b>28,462,913</b> | <b>204,863,830</b>   |
| <b>Expenditures</b>                       |                |                   |                   |                   |                   |                   |                      |
| 7905 Army Corp Payments                   | -              | -                 | 875,000           | 1,050,000         | 2,725,000         | 2,279,000         | 6,929,000            |
| 7910 WIK - Administration                 | 107,301        | 331,321           | 77,614            | 169,019           | 282,227           | 96,692            | 1,064,173            |
| 7915 WIK - Project Design                 | 149,632        | 5,366,147         | 3,220,859         | 9,118,723         | 4,660,226         | 748,836           | 23,264,423           |
| 7920 WIK - Project Management             | 679,037        | 7,223,650         | 4,695,477         | 3,579,339         | 4,500,955         | 1,029,646         | 21,708,105           |
| 7925 WIK - Recreation                     | -              | 163,223           | -                 | -                 | -                 | -                 | 163,223              |
| 7930 LERRDS - North Dakota                | 48,664         | 3,843,620         | 2,763,404         | 17,013,358        | 55,948,209        | 16,139,072        | 95,756,326           |
| 7931 LERRDS - Minnesota                   | -              | 27,996            | 289,387           | 13,068            | 32,452            | 272,438           | 635,340              |
| 7940 WIK Mitigation - North Dakota        | -              | -                 | -                 | 587,180           | -                 | -                 | 587,180              |
| 7941 WIK Mitigation - Minnesota           | -              | -                 | -                 | -                 | -                 | -                 | -                    |
| 7950 Construction - North Dakota          | -              | -                 | -                 | 1,738,638         | 19,269,055        | 6,513,235         | 27,520,927           |
| 7951 Construction - Minnesota             | -              | -                 | -                 | -                 | -                 | -                 | -                    |
| 7952 Construction - O/H/B                 | -              | -                 | -                 | 11,282,504        | 5,044,001         | 492,884           | 16,819,390           |
| 7955 Construction Management              | -              | -                 | -                 | 556,209           | 2,867,422         | 367,054           | 3,790,685            |
| 7990 Project Financing                    | -              | 50,000            | 70,000            | 216,376           | 566,600           | 777,127           | 1,680,103            |
| 7995 Project Eligible - Off Formula Costs | -              | -                 | -                 | -                 | -                 | -                 | -                    |
| 7999 Non Federal Participating Costs      | 116            | -                 | -                 | -                 | -                 | -                 | 116                  |
| 0000 Advance to City of Oxbow             | -              | -                 | 7,527,231         | 630               | -                 | -                 | 7,527,861            |
| <b>Total Expenditures</b>                 | <b>984,750</b> | <b>17,005,957</b> | <b>19,518,970</b> | <b>45,325,044</b> | <b>95,896,147</b> | <b>28,715,984</b> | <b>207,446,853</b>   |

FM Diversion Authority  
FY 2016 Summary Budget Report ( In Thousands)  
As of April 30, 2016

|                              | FY 2016<br>Approved<br>Budget | Current<br>Month | Fiscal Year<br>To Date | %<br>Expended | Outstanding<br>Encumbrances | Remaining<br>Budget<br>Balance |
|------------------------------|-------------------------------|------------------|------------------------|---------------|-----------------------------|--------------------------------|
| <b>Revenue Sources</b>       |                               |                  |                        |               |                             |                                |
| City of Fargo                | 39,375                        | (910)            | 4,388                  |               |                             | 34,987                         |
| Cass County                  | 39,375                        | (910)            | 4,192                  |               |                             | 35,183                         |
| State of ND - 50% Match      | 40,100                        | 9,924            | 13,062                 |               |                             | 27,038                         |
| State of ND - 100% Match     | 109,900                       | -                | 2,621                  |               |                             | 107,279                        |
| State of Minnesota           | -                             | -                | -                      |               |                             | -                              |
| Other Agencies               | 8,750                         | (206)            | 911                    |               |                             | 7,839                          |
| City of Oxbow MOU Repayments | -                             | 2,894            | 2,894                  |               |                             | (2,894)                        |
| Financing Proceeds           | -                             | -                | -                      |               |                             | -                              |
| Reimbursements               | -                             | 0                | 17                     |               |                             | (17)                           |
| Sale of Assets               | -                             | -                | 175                    |               |                             | (175)                          |
| Property Income              | -                             | 171              | 202                    |               |                             | (202)                          |
| Miscellaneous                | -                             | -                | -                      |               |                             | -                              |
| <b>Total Revenue Sources</b> | <b>237,500</b>                | <b>10,962</b>    | <b>28,463</b>          |               |                             | <b>209,037</b>                 |
| <b>Funds Appropriated</b>    |                               |                  |                        |               |                             |                                |
| Army Corp Local Share        | -                             | -                | 2,279                  |               | -                           | (2,279)                        |
| Management Oversight         | 11,340                        | 548              | 1,493                  | 13%           | 10,746                      | (899)                          |
| Technical Activities         | 7,500                         | 77               | 749                    | 10%           | 3,657                       | 3,094                          |
| Land Acquisitions            | 109,900                       | 9,697            | 16,412                 | 15%           | 38,088                      | 55,400                         |
| Construction                 | 105,000                       | 434              | 7,006                  | 7%            | 44,299                      | 53,695                         |
| Mitigation                   | 2,200                         | -                | -                      |               | 366                         | 1,834                          |
| Other Costs                  | 1,560                         | 239              | 777                    | 50%           | 3,398                       | (2,615)                        |
| <b>Total Appropriations</b>  | <b>237,500</b>                | <b>10,995</b>    | <b>28,716</b>          | <b>12%</b>    | <b>100,553</b>              | <b>108,231</b>                 |

**FM Diversion Authority  
Summary of Cash Disbursements  
April 2016**

| Account Number  | Check Date | Check Number | Vendor Name                         | Transaction Amount | Description 1             | Project Number | Project Description       |
|---|------------|--------------|-------------------------------------|--------------------|---------------------------|----------------|---------------------------|
| 790-7910-429.33-20  | 5/5/2016   | JB04160015   | CITY OF FARGO                       | \$ 640.00          | CHARGE COF TIME - 4/16    | V00102         | General & Admin. WIK      |
| <b>Total WIK - General &amp; Admin. - Accounting Services</b> |            |              |                                     | <b>640.00</b>      |                           |                |                           |
| 790-7910-429.33-25  | 4/20/2016  | 267330       | ERIK R JOHNSON & ASSOCIATES         | 8,486.39           | LEGAL MATTERS 2/29/16     | V00102         | General & Admin. WIK      |
|   | 4/20/2016  | 267330       | ERIK R JOHNSON & ASSOCIATES         | 4,395.80           | LEGAL MATTERS 3/25/16     | V00102         | General & Admin. WIK      |
| <b>Total WIK - General &amp; Admin. - Legal Services</b>      |            |              |                                     | <b>12,882.19</b>   |                           |                |                           |
| 790-7915-429.33-05  | 4/27/2016  | 267511       | HOUSTON-MOORE GROUP LLC             | 54,010.20          | LEVEE DESIGN & SUPPORT    | V01613         | LEVEE DESIGN & SUPPORT    |
|   | 4/27/2016  | 267511       | HOUSTON-MOORE GROUP LLC             | 10,898.00          | PERMIT SUBMITTAL PREP     | V01616         | PERMIT SUBMITTAL PREP     |
|   | 4/7/2016   | 267085       | URS CORPORATION                     | 7,743.63           | CULTURAL RESOURCES INVEST | V01003         | CULTURAL RESOURCES INVEST |
|   | 4/27/2016  | 267585       | URS CORPORATION                     | 3,800.62           | CULTURAL RESOURCES INVEST | V01003         | CULTURAL RESOURCES INVEST |
| <b>Total WIK - Project Design - Engineering Services</b>      |            |              |                                     | <b>76,452.45</b>   |                           |                |                           |
| 790-7915-429.38-99  | 5/3/2016   | 551          | P CARD BMO                          | 1,000.00           | DEPT OF NATURAL RESOUR    | V00702         | WP-26 MN DNR PERMIT       |
| <b>Total WIK - Project Design - Other Services</b>            |            |              |                                     | <b>1,000.00</b>    |                           |                |                           |
| 790-7920-429.33-05  | 4/7/2016   | 266956       | HOUSTON-MOORE GROUP LLC             | 33,766.50          | TASK 1 PROJECT MGMT       | V01601         | HMG - PROJECT MANAGEMENT  |
| <b>Total WIK Construction Mgmt. - Engineering Services</b>    |            |              |                                     | <b>33,766.50</b>   |                           |                |                           |
| 790-7920-429.33-79  | 4/27/2016  | 267485       | CH2M HILL ENGINEERS INC             | 425,000.00         | CONTRACT MGMT EXTENSION   | V00205         | CH2M Hill-8.30.14-3.11.16 |
| <b>Total WIK Construction Mgmt. - Construction Management</b> |            |              |                                     | <b>425,000.00</b>  |                           |                |                           |
| 790-7930-429.33-05  | 4/27/2016  | 267511       | HOUSTON-MOORE GROUP LLC             | 155,818.03         | PKG 28, BRIDGE CHANNEL    | V01618         | WP28 - CR-16/CR-17 BRIDGE |
| <b>Total LERRDS - North Dakota - Engineering Services</b>     |            |              |                                     | <b>155,818.03</b>  |                           |                |                           |
| 790-7930-429.33-25  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 27,642.74          | OHNSTAD TWICHELL PC       | V01201         | Cass Joint Water ROE      |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 5,418.00           | OHNSTAD TWICHELL PC       | V01201         | Cass Joint Water ROE      |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 785.50             | OHNSTAD TWICHELL PC       | V01201         | Cass Joint Water ROE      |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 954.00             | OHNSTAD TWICHELL PC       | V01202         | Cass Joint Water DPAC     |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 8,677.69           | OHNSTAD TWICHELL PC       | V01203         | Cass Joint Water OHB      |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 1,053.00           | OHNSTAD TWICHELL PC       | V01201         | Cass Joint Water ROE      |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 3,986.50           | OHNSTAD TWICHELL PC       | V02807         | CASS JOINT WATER IN-TOWN  |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 144.00             | OHNSTAD TWICHELL PC       | V02807         | CASS JOINT WATER IN-TOWN  |
|   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 561.00             | LARKIN HOFFMAN ATTORNEYS  | V01201         | Cass Joint Water ROE      |
|   | 4/20/2016  | 267330       | ERIK R JOHNSON & ASSOCIATES         | 430.10             | LEERDS MATTERS 2/29/16    | V00103         | General & Admin. LERRDS   |

**FM Diversion Authority**  
**Summary of Cash Disbursements**  
**April 2016**

| Account Number   | Check Date | Check Number | Vendor Name                         | Transaction Amount  | Description 1             | Project Number | Project Description       |
|--|------------|--------------|-------------------------------------|---------------------|---------------------------|----------------|---------------------------|
|  | 4/20/2016  | 267330       | ERIK R JOHNSON & ASSOCIATES         | 1,158.00            | LERRDS 3/25/16            | V00103         | General & Admin. LERRDS   |
| <b>Total LERRDS - North Dakota - Legal Services</b>        |            |              |                                     | <b>50,810.53</b>    |                           |                |                           |
| 790-7930-429.38-61   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 1,475.28            | SENTRY SECURITY INC       | V01203         | Cass Joint Water OHB      |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 1,485.27            | SENTRY SECURITY INC       | V01203         | Cass Joint Water OHB      |
| <b>Total LERRDS - North Dakota - Security Services</b>     |            |              |                                     | <b>2,960.55</b>     |                           |                |                           |
| 790-7930-429.38-99   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 673.51              | FRITZ ELECTRIC            | V02807         | CASS JOINT WATER IN-TOWN  |
| <b>Total LERRDS - North Dakota - Other Services</b>        |            |              |                                     | <b>673.51</b>       |                           |                |                           |
| 790-7930-429.62-51   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 130.38              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 316.97              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 139.48              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 124.48              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 353.01              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 50.19               | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 213.35              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 238.23              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 977.47              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 208.76              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 114.48              | CASS CNTY ELECTRIC COOP   | V01702         | ND LAND PURCHASE-HARDSHIP |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 331.60              | CASS CNTY ELECTRIC COOP   | V01701         | ND LAND PURCH-OUT OF TOWN |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 2,006.97            | XCEL ENERGY               | V01703         | ND LAND PURCH - IN TOWN   |
| <b>Total LERRDS - North Dakota - Electricity</b>           |            |              |                                     | <b>5,205.37</b>     |                           |                |                           |
| 790-7930-429.67-11   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 5,270.00            | DALE MATHIASON            | V02411         | OXBOW MOU-RESIDENT RLCTN  |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 3,312.00            | JOSEPH & JOLENE SAUVAGEAU | V02411         | OXBOW MOU-RESIDENT RLCTN  |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 2,065.00            | JOSEPH & JOLENE SAUVAGEAU | V02411         | OXBOW MOU-RESIDENT RLCTN  |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 16,500.00           | JORDAN & DIANA HELLER     | V01703         | ND LAND PURCH - IN TOWN   |
| <b>Total LERRDS - North Dakota - Residential Buildings</b> |            |              |                                     | <b>27,147.00</b>    |                           |                |                           |
| 790-7930-429.67-12   | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 1,360,036.23        | BOARD OF ED-FSOC ADDT     | V01703         | ND LAND PURCH - IN TOWN   |
|  | 4/20/2016  | 267314       | CASS COUNTY JOINT WATER RESOURCE DI | 8,093,475.78        | BOARD OF ED-KEENEY/DEVITT | V01703         | ND LAND PURCH - IN TOWN   |
| <b>Total LERRDS - North Dakota - Commercial Buildings</b>  |            |              |                                     | <b>9,453,512.01</b> |                           |                |                           |

**FM Diversion Authority  
Summary of Cash Disbursements  
April 2016**

| Account Number  | Check Date | Check Number | Vendor Name                      | Transaction Amount | Description 1             | Project Number | Project Description       |
|---|------------|--------------|----------------------------------|--------------------|---------------------------|----------------|---------------------------|
| 790-7931-429.80-17  | 4/20/2016  | 267319       | CLAY COUNTY AUDITOR              | 12.00              | ID #15.031.1201           | V02302         | MN LAND PURCHASE-HARDSHIP |
|   | 4/20/2016  | 267319       | CLAY COUNTY AUDITOR              | 42.00              | ID #15.030.4701           | V02302         | MN LAND PURCHASE-HARDSHIP |
|   | 4/20/2016  | 267319       | CLAY COUNTY AUDITOR              | 272.00             | ID #15.030.4702           | V02302         | MN LAND PURCHASE-HARDSHIP |
|   | 4/20/2016  | 267319       | CLAY COUNTY AUDITOR              | 58.00              | ID #15.031.1202           | V02302         | MN LAND PURCHASE-HARDSHIP |
| <b>Total LERRDS - Minnesota - Property Tax - FMDA</b>       |            |              |                                  | <b>384.00</b>      |                           |                |                           |
| 790-7950-429.73-20  | 4/20/2016  | 267376       | LANDWEHR CONSTRUCTION INC        | 8,767.20           | PARK EAST APT DEMO        | V02813         | PARK EAST DEMOLITION      |
|   | 4/20/2016  | 267376       | LANDWEHR CONSTRUCTION INC        | 57,784.00          | DEMO HOWARD JOHNSON       | V02816         | DOWNTOWN AREA DEMOLITION  |
| <b>Total ND Construction - Site Improvements</b>            |            |              |                                  | <b>66,551.20</b>   |                           |                |                           |
| 790-7950-429.73-52  | 4/20/2016  | 267353       | INDUSTRIAL BUILDERS INC          | 175,200.00         | 2 ST N PUMP STATION       | V02801         | 2ND ST NORTH PUMP STATION |
|   | 4/27/2016  | 267513       | INDUSTRIAL CONTRACT SERVICES INC | 192,515.00         | PUMP STATION & FLOODWALL  | V02805         | PUMP STATION & FLOODWALL  |
| <b>Total ND Construction - Flood Control</b>                |            |              |                                  | <b>367,715.00</b>  |                           |                |                           |
| 790-7955-429.33-05  | 4/27/2016  | 267511       | HOUSTON-MOORE GROUP LLC          | 40,523.75          | WORK PACKAGE 42           | V02806         | CONSTRUCTION SVCS WP42    |
| <b>Total Construction Management - Engineering Services</b> |            |              |                                  | <b>40,523.75</b>   |                           |                |                           |
| 790-7955-429.33-06  | 4/20/2016  | 267444       | TERRACON CONSULTING ENGINEERS    | 12,079.75          | PROJ #M1141339A MATERIALS | V02802         | WP-42 MATERIALS TESTING   |
|   | 4/20/2016  | 267444       | TERRACON CONSULTING ENGINEERS    | 2,698.75           | PROJ #M1141339A MATERIALS | V02802         | WP-42 MATERIALS TESTING   |
|   | 4/27/2016  | 267578       | TERRACON CONSULTING ENGINEERS    | 20,429.16          | MATERIAL TESTING          | V02802         | WP-42 MATERIALS TESTING   |
| <b>Total Construction Management - Quality Testing</b>      |            |              |                                  | <b>35,207.66</b>   |                           |                |                           |
| 790-7990-429.33-05  | 4/27/2016  | 267511       | HOUSTON-MOORE GROUP LLC          | 17,706.50          | PARTNERSHIP DOC PREP      | V01619         | PPP DOCUMENT PREP SUPPRT  |
| <b>Total Project Financing - Engineering Services</b>       |            |              |                                  | <b>17,706.50</b>   |                           |                |                           |
| 790-7990-429.33-25  | 5/3/2016   | 551          | P CARD BMO                       | 58,854.00          | OHNSTAD TWICHELL PC       | V00102         | General & Admin. WIK      |
|   | 4/20/2016  | 267301       | ASHURST LLP                      | 109,765.35         | LEGAL COUNSEL/CONCESSION  | V03001         | P3 LEGAL COUNSEL-ASHURST  |
| <b>Total Project Financing - Legal Services</b>             |            |              |                                  | <b>168,619.35</b>  |                           |                |                           |
| 790-7990-429.34-55  | 4/20/2016  | 267434       | SPRINGSTED INCORPORATED          | 16,184.00          | PROJ #012265.100 ANALYSIS | V03101         | FINANCIAL ADVISORY SERVCS |
| <b>Total Project Financing - Financial Advisor</b>          |            |              |                                  | <b>16,184.00</b>   |                           |                |                           |

**FM Diversion Authority  
Summary of Cash Disbursements  
April 2016**

| Account Number                     | Check Date | Check Number | Vendor Name   | Transaction Amount | Description 1            | Project Number | Project Description        |
|------------------------------------|------------|--------------|---------------|--------------------|--------------------------|----------------|----------------------------|
| 790-7990-520.80-20                 | 4/1/2016   | JB04160001   | CITY OF FARGO | 36,458.33          | US BANK INTEREST PAYMENT | V02902         | \$50M FARGO USBANK ADVANCE |
| Total Project Financing - Interest |            |              |               | 36,458.33          |                          |                |                            |
| Total Disbursed for Period         |            |              |               | \$ 10,995,217.93   |                          |                |                            |

**FM Diversion Authority**  
**Cumulative Vendor Payments Since Inception**  
**As of April 30, 2016**

| Vendor Name                          | Approved Contract/Invoice Amount | Liquidated       | Outstanding Encumbrance | Purpose  |
|--------------------------------------|----------------------------------|------------------|-------------------------|--|
| CASS COUNTY JOINT WATER RESOUR Total | \$ 135,622,671.74                | \$ 93,416,441.32 | \$ 42,206,230.42        | Land Purchases, O/H/B Ring Levee, DPAC, & ROE              |
| INDUSTRIAL BUILDERS INC Total        | 38,874,888.91                    | 10,594,581.95    | 28,280,306.96           | 2nd St North Pump Station Project and 2nd Street Floodwall |
| HOUSTON-MOORE GROUP LLC Total        | 32,026,294.10                    | 24,252,568.25    | 7,773,725.85            | Engineering Services                                       |
| CH2M HILL ENGINEERS INC Total        | 24,965,819.01                    | 18,240,819.01    | 6,725,000.00            | Project Management   |
| INDUSTRIAL CONTRACT SERVICES I Total | 17,364,063.63                    | 14,114,847.19    | 3,249,216.44            | 4th St Pump Station and 2nd Street Floodwall               |
| OXBOW, CITY OF Total                 | 15,242,164.74                    | 14,316,243.93    | 925,920.81              | City of Oxbow - MOU  |
| ARMY CORP OF ENGINEERS Total         | 6,929,000.00                     | 6,929,000.00     | -                       | Local Share  |
| COMMERCIAL TITLE LLC Total           | 3,869,541.00                     | 3,869,541.00     | -                       | Oxbow MOU - Advance for Land Purchase                      |
| TITLE COMPANY Total                  | 3,641,500.00                     | 3,641,500.00     | -                       | Oxbow MOU - Advance for Land Purchase                      |
| DORSEY & WHITNEY LLP Total           | 2,874,223.82                     | 2,874,223.82     | -                       | Legal Services   |
| CENTURYLINK COMMUNICATIONS Total     | 2,586,742.00                     | -                | 2,586,742.00            | Utility Relocation   |
| MINNESOTA DNR Total                  | 2,325,472.35                     | 2,325,472.35     | -                       | EIS Scoping  |
| ASHURST LLP Total                    | 1,979,133.70                     | 266,511.70       | 1,712,622.00            | PPP Legal Counsel  |
| URS CORPORATION Total                | 1,922,118.42                     | 1,584,502.43     | 337,615.99              | Engineering Services                                       |
| LANDWEHR CONSTRUCTION INC Total      | 1,846,021.59                     | 1,124,051.20     | 721,970.39              | In-Town Demolition Contracts                               |
| KENNELLY & OKEEFFE Total             | 1,729,310.56                     | 1,729,310.56     | -                       | Home Buyouts   |
| CONSOLIDATED COMMUNICATIONS Total    | 1,706,312.00                     | 777,442.16       | 928,869.84              | Utility Relocation   |
| REINER CONTRACTING INC Total         | 1,542,795.94                     | -                | 1,542,795.94            | El Zagal Flood Risk Management                             |
| JP MORGAN CHASE-LOCKBOX PROCES Total | 1,527,000.00                     | 241,521.09       | 1,285,478.91            | Financial Advisor  |
| XCEL ENERGY Total                    | 874,255.08                       | 174,255.08       | 700,000.00              | Utility Relocation   |
| MOORE ENGINEERING INC Total          | 662,468.17                       | 662,468.17       | -                       | Engineering Services                                       |
| US BANK Total                        | 626,849.03                       | 626,849.03       | -                       | Loan Advance Debt Service Payments                         |
| TERRACON CONSULTING ENGINEERS Total  | 607,500.00                       | 298,946.27       | 308,553.73              | Materials Testing  |
| DUCKS UNLIMITED Total                | 587,180.00                       | 587,180.00       | -                       | Wetland Mitigation Credits                                 |
| HOUSTON ENGINEERING INC Total        | 576,669.57                       | 576,669.57       | -                       | Engineering Services                                       |
| RED RIVER BASIN COMMISSION Total     | 500,000.00                       | 500,000.00       | -                       | Retention Projects - Engineering Services                  |
| NORTHERN TITLE CO Total              | 484,016.00                       | 484,016.00       | -                       | Land Purchases   |
| ERIK R JOHNSON & ASSOCIATES Total    | 467,907.21                       | 454,253.41       | 13,653.80               | Legal Services   |
| CASS COUNTY TREASURER Total          | 446,632.45                       | 249,171.51       | 197,460.94              | Property Taxes and US Bank Loan Advance DS Payments        |
| AT & T Total                         | 441,330.44                       | 278,964.28       | 162,366.16              | Utility Relocation   |

**FM Diversion Authority**  
**Cumulative Vendor Payments Since Inception**  
**As of April 30, 2016**

| Vendor Name                          | Approved Contract/Invoice Amount | Liquidated | Outstanding Encumbrance | Purpose  |
|--------------------------------------|----------------------------------|------------|-------------------------|--|
| CITY OF FARGO Total                  | 371,387.04                       | 371,387.04 | -                       | Digital Imagery Project, Utility Relocation, Accounting Svcs, and US Bank Loan Advance DS Payments |
| 702 COMMUNICATIONS Total             | 275,862.91                       | 266,892.07 | 8,970.84                | Utility Relocation   |
| BUFFALO-RED RIVER WATERSHED DI Total | 220,768.00                       | -          | 220,768.00              | Retention Projects - Engineering Services  |
| ROBERT TRENT JONES Total             | 200,000.00                       | 200,000.00 | -                       | Oxbow MOU - Golf Course Consulting Agreement   |
| OHNSTAD TWICHELL PC Total            | 182,971.43                       | 182,971.43 | -                       | ROE and Bonding Legal Fees   |
| CABLE ONE (FARGO) Total              | 148,511.37                       | -          | 148,511.37              | Utility Relocation   |
| PFM PUBLIC FINANCIAL MANAGEMEN Total | 146,460.00                       | 146,460.00 | -                       | Financial Advisor  |
| BOIS DE SIOUX WATERSHED DISTRI Total | 145,380.00                       | -          | 145,380.00              | Retention Projects - Engineering Services  |
| NDSU BUSINESS OFFICE-BOX 6050 Total  | 135,167.00                       | 135,167.00 | -                       | Ag Risk Study Services   |
| ENVENTIS Total                       | 115,685.62                       | 115,685.62 | -                       | Utility Relocation   |
| BEAVER CREEK ARCHAEOLOGY Total       | 111,000.00                       | -          | 111,000.00              | Engineering Services   |
| UNITED STATES GEOLOGICAL SURVE Total | 104,600.00                       | 104,600.00 | -                       | Water Level Discharge Collection   |
| FREDRIKSON & BYRON, PA Total         | 101,500.00                       | 52,500.00  | 49,000.00               | Lobbying Services  |
| PROSOURCE TECHNOLOGIES, INC Total    | 100,000.00                       | 8,324.94   | 91,675.06               | Engineering Services   |
| ULTEIG ENGINEERS INC Total           | 100,000.00                       | -          | 100,000.00              | Engineering Services   |
| BRAUN INTERTEC CORP Total            | 90,210.00                        | 77,629.00  | 12,581.00               | Quality Testing  |
| EL ZAGAL TEMPLE HOLDING CO Total     | 68,040.72                        | 68,040.72  | -                       | Easement Purchase for El Zagal Levee   |
| GRAY PANNELL & WOODWARD LLP Total    | 66,300.68                        | 66,300.68  | -                       | Legal Services   |
| NIXON PEABODY LLC Total              | 60,000.00                        | 60,000.00  | -                       | Legal Services   |
| IN SITU ENGINEERING Total            | 54,800.00                        | 47,973.00  | 6,827.00                | Quality Testing  |
| ADVANCED ENGINEERING INC Total       | 50,000.00                        | 50,000.00  | -                       | Public Outreach  |
| US GEOLOGICAL SURVEY Total           | 46,920.00                        | 46,920.00  | -                       | Stage Gage Installation  |
| CLAY COUNTY AUDITOR Total            | 34,180.71                        | 34,180.71  | -                       | Property Tax, Home Buyout Demo   |
| GEOKON INC Total                     | 33,815.36                        | 33,815.36  | -                       | Vibrating Wire Piezometer Equipment  |
| COLDWELL BANKER Total                | 33,066.02                        | 33,066.02  | -                       | Property Management Services   |
| WARNER & CO Total                    | 24,875.00                        | 24,875.00  | -                       | General Liability Insurance  |
| XCEL ENERGY-FARGO Total              | 16,275.85                        | 16,275.85  | -                       | Utility Relocation   |
| PRIMORIS AEVENIA INC Total           | 16,230.00                        | 16,230.00  | -                       | Utility Relocation   |
| SPRINGSTED INCORPORATED Total        | 16,184.00                        | 16,184.00  | -                       | Financial Advisor  |



**FM Diversion Authority**  
**Cumulative Vendor Payments Since Inception**  
**As of April 30, 2016**

| Vendor Name                          | Approved Contract/Invoice Amount | Liquidated               | Outstanding Encumbrance  | Purpose                                 |
|--------------------------------------|----------------------------------|--------------------------|--------------------------|---|
| INNOVATIVE ABSTRACT & TITLE CO Total | 15,921.53                        | 15,921.53                | -                        | Oxbow MOU - Advance for Land Purchase   |
| MOORHEAD, CITY OF Total              | 15,062.90                        | 15,062.90                | -                        | ROE Legal Fees                          |
| BRIGGS & MORGAN PA Total             | 12,727.56                        | 12,727.56                | -                        | Legal Services                          |
| ND WATER USERS ASSOCIATN Total       | 10,000.00                        | 10,000.00                | -                        | Membership Dues                         |
| BNSF RAILWAY CO Total                | 3,700.00                         | 3,700.00                 | -                        | Permits for In-Town Levee Projects      |
| ONE Total                            | 3,575.00                         | 3,575.00                 | -                        | Utility Relocation                      |
| MCKINZIE METRO APPRAISAL Total       | 3,200.00                         | 3,200.00                 | -                        | Appraisal Services                      |
| FORUM COMMUNICATIONS (LEGALS) Total  | 2,224.20                         | 2,224.20                 | -                        | Advertising Services                    |
| DAWSON INSURANCE AGENCY Total        | 1,867.81                         | 1,867.81                 | -                        | Property Insurance - Home Buyouts       |
| FORUM COMMUNICATIONS (ADVERT) Total  | 1,743.77                         | 1,743.77                 | -                        | Advertising Services                    |
| NORTH DAKOTA TELEPHONE CO Total      | 1,697.00                         | 1,697.00                 | -                        | Communication                           |
| SEIGEL COMMUNICATIONS SERVICE Total  | 1,490.00                         | 1,490.00                 | -                        | Public Outreach                         |
| RED RIVER TITLE SERVICES INC Total   | 1,305.00                         | 1,305.00                 | -                        | Abstract Updates                        |
| HUBER, STEVE Total                   | 1,056.43                         | 1,056.43                 | -                        | Home Buyouts                            |
| DEPT OF NATURAL RESOUR Total         | 1,000.00                         | 1,000.00                 | -                        | DNR Dam Safety Permit Application Fee   |
| TRIO ENVIRONMENTAL CONSULTING Total  | 747.60                           | 747.60                   | -                        | Asbestos and LBP Testing - Home Buyouts |
| RED RIVER VALLEY COOPERATIVE A Total | 536.96                           | 536.96                   | -                        | Electricity - Home Buyouts              |
| FERRELLGAS Total                     | 496.00                           | 496.00                   | -                        | Propane - Home Buyouts                  |
| BROKERAGE PRINTING Total             | 473.33                           | 473.33                   | -                        | Custom Printed Forms                    |
| KOCHMANN, CARTER Total               | 315.00                           | 315.00                   | -                        | Lawn Mowing Services                    |
| GALLAGHER BENEFIT SERVICES INC Total | 250.00                           | 250.00                   | -                        | Job Description Review                  |
| DONS PLUMBING Total                  | 240.00                           | 240.00                   | -                        | Winterize - Home Buyouts                |
| CURTS LOCK & KEY SERVICE INC Total   | 138.10                           | 138.10                   | -                        | Service Call - Home Buyouts             |
| GOOGLE LOVEINTHEOVEN Total           | 116.00                           | 116.00                   | -                        | Meeting Incidentals                     |
| FEDERAL EXPRESS CORPORATION Total    | 71.89                            | 71.89                    | -                        | Postage                                 |
| CASS COUNTY RECORDER Total           | 68.00                            | 68.00                    | -                        | Oxbow MOU - Advance for Land Purchase   |
| <b>Grand Total</b>                   | <b>\$ 308,000,097.25</b>         | <b>\$ 207,446,853.80</b> | <b>\$ 100,553,243.45</b> |   |

**FM Diversion Authority  
In-Town Levee Work  
as of April 30, 2016**

| <b>Vcode #</b> | <b>Vendor Name</b>          | <b>Descriptions</b>  | <b>Contract Amount</b>   | <b>Amount Paid</b>      |
|----------------|-----------------------------|--|--------------------------|-------------------------|
| V02801         | Industrial Builders         | 2nd Street North Pump Station - Work Package 42.A2                   | \$ 8,718,348.67          | \$ 8,162,092.32         |
| V02802         | Terracon Consulting         | WP-42 (In Town Levees) Materials Testing                             | 607,500.00               | 298,946.27              |
| V02803         | Consolidated Communications | 2nd Street Utility Relocation  | 1,821,997.62             | 893,127.78              |
| V02804         | 702 Communications          | 2nd Street Utility Relocation  | 275,862.91               | 266,892.07              |
| V02805         | ICS                         | 4th St Pump Station & Gatewell and 2nd St Floodwall S - WP-42A.1/A.3 | 17,364,663.63            | 14,115,447.19           |
| V02806         | HMG                         | Services During Construction - Work Package 42                       | 3,848,000.00             | 1,234,033.17            |
| V02807         | CCJWRD                      | In-Town Levee Work   | 2,513,495.65             | 2,513,495.65            |
| V02808         | City of Fargo               | Relocation of fiber optic along 2nd Street North                     | 38,002.05                | 38,002.05               |
| V02809         | AT & T                      | 2nd Street Utility Relocation  | 603,696.60               | 278,964.28              |
| V02810         | Cable One                   | 2nd Street Utility Relocation  | 148,511.37               | -                       |
| V02811         | Xcel Energy                 | 2nd Street & 4th Street Utility Relocations                          | 890,530.93               | 190,530.93              |
| V02812         | Industrial Builders         | 2nd Street North Floodwall, South of Pump Station - WP-42F.1S        | 16,526,931.19            | 2,432,489.63            |
| V02813         | Landwehr Construction       | Park East Apartments Demolition                                      | 1,177,151.59             | 1,066,267.20            |
| V02814         | Primoris Aevenia            | 2nd Street Utility Relocation  | 16,230.00                | 16,230.00               |
| V02815         | Centurylink Communications  | 2nd Street Utility Relocation  | 2,586,742.00             | -                       |
| V02816         | Landwehr Construction       | WP-42C.1 In-Town Levees 2nd Street/Downtown Area Demo                | 668,870.00               | 57,784.00               |
| V02817         | Reiner Contracting, Inc     | WP-42H.2 El Zagal Area Flood Risk Management                         | 1,542,795.94             | -                       |
| V02818         | Industrial Builders         | WP-42I.1 Mickelson Levee Extension                                   | 659,910.00               | -                       |
| V02819         | TBD                         | WP42F.1N   | 12,972,799.05            | 3,100.00                |
| V01703         | Various                     | In-Town Property Purchases   | 33,482,999.35            | 30,214,847.68           |
|                |                             |  | <u>\$ 106,465,038.55</u> | <u>\$ 61,782,250.22</u> |

**FM Diversion Authority  
Lands Expense - Life To Date  
As of April 30, 2016**

| Property Address                                      | Purchase Date | Purchase Price | Replacement Lot | Down Payment | Earnest Deposit | Tax Payment | Relocation Assistance | Property Management Expense | Property Management Income | Sale Proceeds | Total         |
|---|---------------|----------------|-----------------|--------------|-----------------|-------------|-----------------------|-----------------------------|----------------------------|---------------|---------------|
| <b>Commercial Relocations - Fargo</b>                 |               |                |                 |              |                 |             |                       |                             |                            |               |               |
| Park East Apartments - 1 2nd St S Fargo, ND           | 6/23/2015     | 9,002,442.20   | -               | -            | -               | 94,832.78   | 1,365,886.39          | 74,283.50                   | (2,166.32)                 | -             | 10,535,278.55 |
| Howard Johnson - 301 3rd Ave N, Fargo ND              | 11/2/2015     | 3,266,079.60   | -               | -            | -               | -           | 3,200,206.04          | 33,073.44                   | -                          | (1,100.00)    | 6,498,259.08  |
| Fargo Public School District - 419 3rd St N, Fargo ND | 3/16/2016     | 1,903,475.78   | -               | -            | -               | -           | 7,550,036.23          | -                           | -                          | -             | 9,453,512.01  |
| <b>Home Buyouts - Fargo</b>                           |               |                |                 |              |                 |             |                       |                             |                            |               |               |
| 1322 Elm St N, Fargo ND                               | 11/19/2014    | 347,270.27     | -               | -            | -               | 2,981.20    | 47,168.14             | 2,576.39                    | -                          | -             | 399,996.00    |
| 1341 N Oak St, Fargo ND                               | 1/29/2015     | 309,888.24     | -               | -            | -               | 3,153.40    | 78,889.24             | 64.79                       | -                          | -             | 391,995.67    |
| 1326 Elm St N, Fargo ND                               | 12/23/2014    | 230,196.41     | -               | -            | -               | -           | 8,001.02              | 262.21                      | -                          | -             | 238,459.64    |
| 1330 Elm St N, Fargo ND                               | 2/12/2015     | 229,982.44     | -               | -            | -               | 651.52      | 62,362.63             | 677.32                      | -                          | -             | 293,673.91    |
| 18 North Terrace N, Fargo ND                          | 4/2/2015      | 129,698.25     | -               | -            | -               | 829.15      | 44,688.72             | 310.98                      | -                          | -             | 175,527.10    |
| 1318 Elm St N, Fargo ND                               | 5/29/2015     | 229,012.67     | -               | -            | -               | 1,289.52    | 55,452.01             | 50.00                       | -                          | -             | 285,804.20    |
| 724 North River Road, Fargo, ND                       | 6/8/2015      | 204,457.83     | -               | -            | -               | 1,547.60    | 35,615.30             | 109.76                      | -                          | (10,000.00)   | 231,730.49    |
| 1333 Oak Street N, Fargo, ND                          | 6/24/2015     | 238,513.23     | -               | -            | -               | 1,627.75    | 2,700.85              | 50.00                       | -                          | -             | 242,891.83    |
| 26 North Terrace N, Fargo ND                          | 9/11/2015     | 138,619.58     | -               | -            | -               | 1,737.30    | 12,620.00             | 118.50                      | -                          | -             | 153,095.38    |
| 16 North Terrace N, Fargo ND                          | 9/24/2015     | 227,987.50     | -               | -            | -               | 2,072.31    | 96,717.14             | 93.33                       | -                          | -             | 326,870.28    |
| 1314 Elm Street N, Fargo ND                           | 12/18/2015    | 225,800.09     | -               | -            | -               | -           | 21,525.00             | 123.11                      | -                          | -             | 247,448.20    |
| 24 North Terrace N, Fargo ND                          | 11/25/2015    | 182,437.38     | -               | -            | -               | 1,606.21    | 29,269.60             | 150.93                      | -                          | -             | 213,464.12    |
| 1313 Elm Street N, Fargo ND                           |               | 350,000.00     | -               | -            | -               | -           | 3,360.00              | -                           | -                          | -             | 353,360.00    |
| 12 North Terrace N, Fargo ND                          | 2/9/2016      | 10,191.00      | -               | -            | -               | -           | -                     | -                           | -                          | -             | 10,191.00     |
| <b>Home Buyouts - Moorhead</b>                        |               |                |                 |              |                 |             |                       |                             |                            |               |               |
| 387 170th Ave SW, Moorhead MN                         | 11/1/2013     | 281,809.91     | -               | -            | -               | 2,354.00    | -                     | 34,073.72                   | -                          | (8,440.00)    | 309,797.63    |
| 16678 3rd St S, Moorhead MN                           |               | -              | -               | -            | 192,600.00      | -           | 79,454.00             | -                           | -                          | -             | 272,054.00    |
| <b>Home Buyouts - Oxbow</b>                           |               |                |                 |              |                 |             |                       |                             |                            |               |               |
| 105 Oxbow Drive, Oxbow ND                             | 11/28/2012    | 216,651.85     | -               | -            | -               | 4,993.72    | -                     | 13,695.77                   | (18,680.72)                | (181,249.54)  | 35,411.08     |
| 744 Riverbend, Oxbow ND                               | 12/3/2012     | 343,828.30     | -               | -            | -               | 14,276.50   | 2,435.00              | 38,416.48                   | (37,617.16)                | -             | 361,339.12    |
| 121 Oxbow Drive, Oxbow ND                             | 7/31/2013     | 378,781.20     | -               | -            | -               | 1,581.52    | -                     | 19,519.02                   | -                          | (186,918.33)  | 212,963.41    |
| 333 Schnell Drive, Oxbow ND                           | 9/20/2013     | 104,087.79     | -               | -            | -               | 4,302.38    | -                     | 30,137.65                   | -                          | -             | 138,527.82    |
| 346 Schnell Dr, Oxbow ND                              | 2/13/2014     | 512,970.73     | -               | -            | -               | 6,638.91    | 7,200.00              | 13,827.19                   | (18,000.00)                | -             | 522,636.83    |
| 345 Schnell Dr, Oxbow ND                              | 10/24/2014    | 478,702.98     | -               | -            | -               | 6,453.35    | 6,869.44              | 28,749.98                   | -                          | -             | 520,775.75    |
| 336 Schnell Dr, Oxbow ND                              | 1/29/2015     | 310,888.51     | -               | -            | -               | 2,376.26    | -                     | 278.58                      | (2,759.00)                 | -             | 310,784.35    |
| 5059 Makenzie Circle                                  | 5/21/2015     | 2,698,226.97   | -               | -            | -               | 5,095.25    | 10,549.70             | 6,357.77                    | -                          | -             | 2,720,229.69  |
| 748 Riverbend Rd / 755 River Bend Rd                  | 9/1/2015      | 480,784.30     | -               | -            | -               | 4,002.89    | 205,699.82            | 181.53                      | -                          | -             | 690,668.54    |
| 752 Riverbend Rd / 768 River Bend Rd                  | 9/4/2015      | 469,078.13     | -               | -            | -               | 3,503.65    | 507,103.56            | 1,019.64                    | -                          | -             | 980,704.98    |
| 349 Schnell Dr / 761 River Bend Rd                    | 6/26/2015     | 306,725.20     | -               | -            | -               | 2,234.53    | 309,992.53            | 868.89                      | -                          | -             | 619,821.15    |
| 353 Schnell Dr / 772 River Bend Rd                    | 9/11/2015     | 494,342.87     | -               | -            | -               | 2,818.16    | 312,212.95            | 1,591.55                    | -                          | -             | 810,965.53    |
| 357 Schnell Dr / 760 River Bend Rd                    | 6/18/2015     | 466,720.80     | -               | -            | -               | 6,643.74    | 176,524.79            | 1,007.34                    | -                          | -             | 650,896.67    |
| 361 Schnell Dr / 764 River Bend Rd                    | 9/2/2015      | 490,091.32     | -               | -            | -               | 3,554.24    | 267,757.65            | 1,320.53                    | -                          | -             | 762,723.74    |
| SE 1/4-23-137-49 & NW 1/4 SW 1/4 24-137-49 - Heitman  | 9/30/2015     | 1,328,151.00   | -               | -            | -               | 1,710.55    | -                     | 36.67                       | (17,966.31)                | -             | 1,311,931.91  |
| 326 Schnell Drive, Oxbow, ND                          | 2/19/2016     | 326,842.17     | -               | -            | -               | -           | 219,275.09            | -                           | -                          | -             | 546,117.26    |
| 828 Riverbend Rd, Oxbow ND                            |               | -              | -               | 25,000.00    | 25,000.00       | -           | -                     | -                           | -                          | -             | 25,000.00     |
| 330 Schnell Dr, Oxbow ND                              |               | -              | -               | 150,000.00   | 150,000.00      | -           | -                     | -                           | -                          | -             | 150,000.00    |
| 749 Riverbend Rd / 433 Trent Jones Dr                 | 2/1/2016      | 598,885.43     | -               | -            | -               | -           | 469,875.64            | 331.60                      | -                          | -             | 1,069,092.67  |
| 334 Schnell Dr / 751 River Bend Rd                    | 1/15/2016     | 318,879.77     | -               | -            | -               | -           | 286,559.88            | 225.66                      | -                          | -             | 605,665.31    |
| 350 Schnell Dr / 769 River Bend Rd                    | 12/15/2015    | 491,024.01     | -               | -            | -               | -           | 279,237.35            | -                           | -                          | -             | 770,261.36    |
| 829 Riverbend Rd / 788 River Bend Rd                  |               | -              | -               | -            | -               | -           | 8,000.00              | -                           | -                          | -             | 8,000.00      |
| 328 Schnell Dr / 347 Trent Jones Dr                   |               | -              | 150,000.00      | 50,000.00    | 200,000.00      | -           | -                     | -                           | -                          | -             | 200,000.00    |
| 338 Schnell Dr / 775 River Bend Rd                    |               | -              | 115,000.00      | 107,500.00   | 222,500.00      | -           | -                     | -                           | -                          | -             | 222,500.00    |
| 813 Riverbend Rd / 449 Trent Jones Dr                 |               | -              | 163,000.00      | 65,000.00    | 228,000.00      | -           | -                     | -                           | -                          | -             | 228,000.00    |
| 341 Schnell Dr / 351 Trent Jones Dr                   |               | -              | 143,000.00      | 95,500.00    | 238,500.00      | -           | -                     | -                           | -                          | -             | 238,500.00    |
| 329 Schnell Dr / 417 Trent Jones Dr                   |               | -              | 130,000.00      | 50,000.00    | 180,000.00      | -           | -                     | -                           | -                          | -             | 180,000.00    |
| 805 Riverbend Rd / 776 River Bend Rd                  |               | -              | 131,000.00      | 89,855.00    | 220,855.00      | -           | -                     | -                           | -                          | -             | 220,855.00    |

**FM Diversion Authority  
Lands Expense - Life To Date  
As of April 30, 2016**

| Property Address  | Purchase Date | Purchase Price       | Replacement Lot     | Down Payment        | Earnest Deposit     | Tax Payment       | Relocation Assistance | Property Management Expense | Property Management Income | Sale Proceeds         | Total                |
|---|---------------|----------------------|---------------------|---------------------|---------------------|-------------------|-----------------------|-----------------------------|----------------------------|-----------------------|----------------------|
| 317 Schnell Dr / 409 Trent Jones Dr   |               | -                    | 136,000.00          | 86,000.00           | 222,000.00          | -                 | -                     | -                           | -                          | -                     | 222,000.00           |
| 309 Schnell Dr / 261 S Schnell Dr   |               | -                    | 160,000.00          | 50,000.00           | 210,000.00          | -                 | -                     | -                           | -                          | -                     | 210,000.00           |
| 810 Riverbend Rd / 787 River Bend Rd  |               | -                    | 174,000.00          | 115,500.00          | 289,500.00          | -                 | -                     | -                           | -                          | -                     | 289,500.00           |
| 332 Schnell Dr / 421 Trent Jones Dr   |               | -                    | 133,000.00          | 25,000.00           | 158,000.00          | -                 | -                     | -                           | -                          | -                     | 158,000.00           |
| 833 Riverbend Rd / 446 Trent Jones Dr   |               | -                    | 149,000.00          | 120,000.00          | 269,000.00          | -                 | -                     | -                           | -                          | -                     | 269,000.00           |
| 821 Riverbend Rd / 434 Trent Jones Dr   |               | -                    | 108,000.00          | 77,000.00           | 185,000.00          | -                 | -                     | -                           | -                          | -                     | 185,000.00           |
| 321 Schnell Dr / 410 Trent Jones Dr   |               | -                    | 148,000.00          | 90,566.00           | 238,566.00          | -                 | -                     | -                           | -                          | -                     | 238,566.00           |
| 337 Schnell Dr / 355 Trent Jones Dr   |               | -                    | 124,000.00          | 82,021.00           | 206,021.00          | -                 | -                     | -                           | -                          | -                     | 206,021.00           |
| 840 Riverbend Rd / 442 Trent Jones Dr   |               | -                    | 139,000.00          | 50,000.00           | 189,000.00          | -                 | -                     | -                           | -                          | -                     | 189,000.00           |
| 325 Schnell Dr  |               | -                    | 141,000.00          | 69,590.00           | 210,590.00          | -                 | -                     | -                           | -                          | -                     | 210,590.00           |
| 816 Riverbend Rd / 429 Trent Jones Dr   |               | -                    | 111,000.00          | 76,426.00           | 187,426.00          | -                 | -                     | -                           | -                          | -                     | 187,426.00           |
| 852 Riverbend Rd  | 1/11/2016     | 1,222,608.19         | -                   | -                   | -                   | -                 | 10,891.60             | 716.69                      | -                          | -                     | 1,234,216.48         |
| 365 Schnell Dr  | 1/7/2016      | 125,077.88           | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 125,077.88           |
| <b>Home Buyouts - Hickson</b>   |               |                      |                     |                     |                     |                   |                       |                             |                            |                       |                      |
| 17495 52nd St SE, Hickson, ND   | 4/28/2015     | 785,747.66           | -                   | -                   | -                   | 4,390.23          | 27,604.74             | 1,562.32                    | -                          | -                     | 819,304.95           |
| <b>Easements - Fargo</b>  |               |                      |                     |                     |                     |                   |                       |                             |                            |                       |                      |
| Part of Lot 5 El Zagal Park, Fargo ND   | 10/9/2014     | 68,040.72            | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 68,040.72            |
| <b>Easements - Oxbow</b>  |               |                      |                     |                     |                     |                   |                       |                             |                            |                       |                      |
| Oxbow Parcel 57-0000-10356-070 - Pearson  | 10/13/2014    | 55,500.00            | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 55,500.00            |
| <b>Farmland Purchases</b>   |               |                      |                     |                     |                     |                   |                       |                             |                            |                       |                      |
| SE 1/4 11-140-50 (Raymond Twp) - Ueland   | 1/20/2014     | 959,840.00           | -                   | -                   | -                   | -                 | -                     | -                           | (27,892.63)                | -                     | 931,947.37           |
| 2 Tracts in the E 1/2-2-137-49 - Sorby/Maier                                      | 1/24/2014     | 1,636,230.00         | -                   | -                   | -                   | -                 | -                     | -                           | (88,361.76)                | -                     | 1,547,868.24         |
| 3 Tracts NW1/4 1-140-50, NW1/4 11-140-50, & S1/2 25-141-50 - Rust                 | 2/18/2014     | 3,458,980.70         | -                   | -                   | -                   | -                 | -                     | -                           | (189,269.99)               | -                     | 3,269,710.71         |
| 11-140-50 NE1/4 (Raymond Twp) - Diekrager   | 4/15/2014     | 991,128.19           | -                   | -                   | -                   | -                 | -                     | -                           | (53,008.60)                | -                     | 938,119.59           |
| NW 1/4 36-141-50 - Monson   | 5/7/2014      | 943,560.05           | -                   | -                   | -                   | -                 | -                     | -                           | (43,571.18)                | -                     | 899,988.87           |
| SW 1/4-11-140-50 - Hoglund  | 7/21/2014     | 989,706.03           | -                   | -                   | -                   | 2,566.59          | -                     | -                           | (3,725.49)                 | -                     | 988,547.13           |
| NW 1/4 14-140-50 - Hoglund  | 10/23/2014    | 948,782.22           | -                   | -                   | -                   | 5,327.10          | -                     | -                           | (22,249.56)                | -                     | 931,859.76           |
| SW 1/4 2-140-50 - Rust  | 10/29/2014    | 955,901.00           | -                   | -                   | -                   | -                 | -                     | -                           | (24,573.95)                | -                     | 931,327.05           |
| Fercho Family Farms, Oxbow ND   | 3/25/2015     | 464,600.00           | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 464,600.00           |
| W 1/2 SE 1/4 SW 1/4 & SW 1/4 SW 1/4 2-137-49 - Gorder                             | 5/13/2014     | 321,386.00           | -                   | -                   | -                   | -                 | -                     | -                           | (10,892.20)                | -                     | 310,493.80           |
| 2-140-50 S 1/2 of NW 1/4 & Lot 4A - Pile  | 3/4/2015      | 594,108.00           | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 594,108.00           |
| W 1/2 NW 1/4 2-141-49 - Heiden  | 4/24/2015     | 433,409.00           | -                   | -                   | -                   | -                 | -                     | -                           | (6,510.69)                 | -                     | 426,898.31           |
| (Raymond Twp) - Henke   | 6/17/2015     | 1,196,215.00         | -                   | -                   | -                   | -                 | -                     | -                           | (12,452.23)                | -                     | 1,183,762.77         |
| <b>Land Purchases</b>   |               |                      |                     |                     |                     |                   |                       |                             |                            |                       |                      |
| Hayden Heights Land, West Fargo ND  | 10/12/2012    | 484,016.00           | -                   | -                   | -                   | 223,505.56        | -                     | -                           | -                          | (730,148.14)          | (22,626.58)          |
| Lot 4, Block 4, ND R-2 Urban Renewal Addition, Fargo ND - Professional Associates | 5/14/2015     | 39,900.00            | -                   | -                   | -                   | -                 | -                     | -                           | -                          | -                     | 39,900.00            |
| BNSF Railway Company  |               | -                    | -                   | -                   | 27,000.00           | -                 | -                     | -                           | -                          | -                     | 27,000.00            |
| <b>Total</b>  |               | <b>44,998,262.35</b> | <b>2,355,000.00</b> | <b>1,474,958.00</b> | <b>4,049,558.00</b> | <b>420,657.87</b> | <b>15,801,742.05</b>  | <b>305,862.84</b>           | <b>(579,697.79)</b>        | <b>(1,117,856.01)</b> | <b>63,878,529.31</b> |

FM Diversion Authority  
State Water Commission Funds Reimbursement Worksheet  
Fargo Flood Control Project Costs

Time Period for This Request: April 1, 2016 - April 30, 2016

|                                    |              |
|------------------------------------|--------------|
| Drawdown Request No: 27            |              |
| Requested Amount:                  | \$ 4,940,909 |
| Total Funds Expended This Period:  | \$ 9,881,819 |
| SB 2020 Matching Requirements      | 50%          |
| Total Funds Requested at 50% Match | 4,940,909    |
| Total Funds Requested:             | \$ 4,940,909 |

STATE AID SUMMARY:

Summary of State Funds Appropriated

|  |             |               |
|--|-------------|---------------|
| Appropriations from 2009 Legislative Session                                 | \$          | 45,000,000    |
| Appropriations from 2011 Legislative Session                                 |             | 30,000,000    |
| Appropriations from 2013 Legislative Session                                 |             | 100,000,000   |
| Appropriations from 2015 Legislative Session                                 |             | 69,000,000    |
| Appropriations to be funded in 2017 Legislative Session - Available 7/1/2017 | 51,500,000  |               |
| Appropriations to be funded in 2019 Legislative Session - Available 7/1/2019 | 51,500,000  |               |
| Appropriations to be funded in 2021 Legislative Session - Available 7/1/2021 | 51,500,000  |               |
| Appropriations to be funded in 2023 Legislative Session - Available 7/1/2023 | 51,500,000  |               |
| Total State Funds  | 206,000,000 | 244,000,000   |
| Less: Payment #1 through #35 - City of Fargo                                 |             | (55,510,209)  |
| Less: Payment #1 - Cass County   |             | (136,039)     |
| Less: Payment #1 through #10 - FM Diversion Authority                        |             | (8,524,053)   |
| Less: Payment #11 - FM Diversion Authority                                   |             | (470,398)     |
| Less: Payment #12 - FM Diversion Authority                                   |             | (1,231,810)   |
| Less: Payment #13 - FM Diversion Authority                                   |             | (612,361)     |
| Less: Payment #14 - FM Diversion Authority                                   |             | (1,182,540)   |
| Less: Payment #15 - FM Diversion Authority                                   |             | (4,501,221)   |
| Less: Payment #16 - FM Diversion Authority                                   |             | (3,325,169)   |
| Less: Payment #17 - FM Diversion Authority                                   |             | (2,833,772)   |
| Less: Payment #18 - FM Diversion Authority                                   |             | (1,528,056)   |
| Less: Payment #19 - FM Diversion Authority                                   |             | (885,633)     |
| Less: Payment #20 - FM Diversion Authority                                   |             | (3,767,195)   |
| Less: Payment #21 - FM Diversion Authority                                   |             | (2,580,786)   |
| Less: Payment #22 - FM Diversion Authority                                   |             | (3,998,879)   |
| Less: Payment #23 - FM Diversion Authority                                   |             | (1,985,040)   |
| Less: Payment #24 - FM Diversion Authority                                   |             | (2,752,283)   |
| Less: Payment #25 - FM Diversion Authority - Revised                         |             | (4,983,200)   |
| Less: Payment #26 - FM Diversion Authority                                   |             | (1,021,657)   |
| Less: Payment #27 - FM Diversion Authority                                   |             | (4,940,909)   |
| Total Funds Reimbursed   |             | (106,771,211) |
| Total State Fund Balances Remaining  | \$          | 137,228,789   |

FM Diversion Authority  
State Water Commission Funds Reimbursement Worksheet  
Fargo Flood Control Project Costs

|  |               |
|--|---------------|
| <b>LOCAL MATCHING FUNDS SUMMARY:</b>                       |               |
| Matching Funds Expended To Date - City of Fargo            | \$ 47,629,069 |
| Matching Funds Expended To Date - Cass County              | 291,500       |
| Matching Funds Expended To Date - FM Diversion Authority   | 9,936,700     |
| Total Matching Funds Expended To Date                      | 57,857,269    |
| Less: Match Used on Payment #1 through #35 - City of Fargo | (41,506,620)  |
| Less: Match used on Payment #1 - Cass County               | (136,039)     |
| Less: Match Used on Payment #1 - FM Diversion Authority    | (18,600)      |
| Less: Match Used on Payment #2 - FM Diversion Authority    | (66,888)      |
| Less: Match Used on Payment #6 - FM Diversion Authority    | (238,241)     |
| Less: Match Used on Payment #8 - FM Diversion Authority    | (346,664)     |
| Less: Match Used on Payment #11 - FM Diversion Authority   | (470,398)     |
| Less: Match Used on Payment #12 - FM Diversion Authority   | (237,286)     |
| Less: Match Used on Payment #16 - FM Diversion Authority   | (3,018,978)   |
| Less: Match Used on Payment #17 - FM Diversion Authority   | (1,374,624)   |
| Less: Match Used on Payment #20 - FM Diversion Authority   | (1,427,344)   |
| Less: Match Used on Payment #22 - FM Diversion Authority   | (116,437)     |
| Less: Match Used on Payment #23 - FM Diversion Authority   | (487,124)     |
| Less: Match Used on Payment #24 - FM Diversion Authority   | (1,688,474)   |
| Less: Match Used on Payment #26 - FM Diversion Authority   | (445,642)     |
| Balance of Local Matching Funds Available                  | \$ 6,277,910  |

# FM Area Diversion Project

## Property Acquisition Summary

---

May 11, 2016

|                       |                                |
|-----------------------|--------------------------------|
| Owner                 | Case Plaza                     |
| Address               | One North Second Street, Fargo |
| Property Type         | Commercial                     |
| Identification Number | 9770                           |

### Property Need

A portion of the Case Plaza parking lot north is required to accommodate construction of the In-Town Levee and Floodwall project, Work Package WP42.F1.S. See attached map.

### Summary of Impacts:

The impacts to the parking lot require:

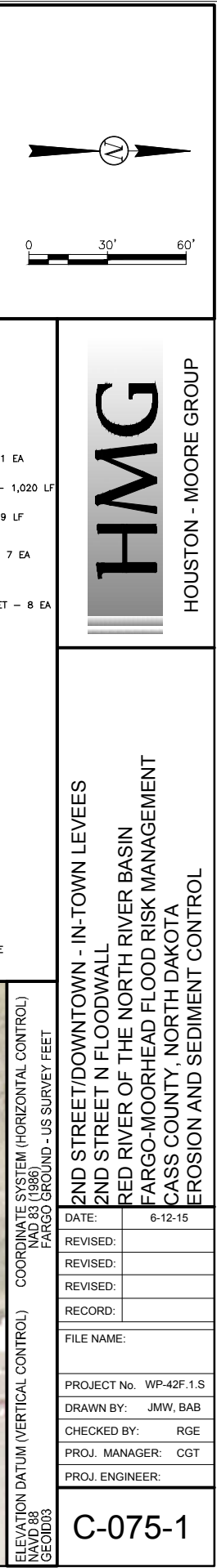
1. Acquisition of a small portion of land from Case Plaza. The Project will require acquisition of 1,411 square feet of property from the north edge of the existing Case Plaza parking lot. An appraisal was conducted on the property and concluded the value of this fee acquisition at \$1.00 per square foot, resulting in a payment from CCJWRD to Case Plaza for \$1,411.
2. Mitigation for temporary parking losses during construction of the flood wall. The construction of the floodwall project will impact the surface parking lot used by Case Plaza (tenants and customers), which currently provides 62 parking stalls. A portion of the existing parking lot will be available during construction that will provide for approximately 25 parking stalls. In addition, the City of Fargo has committed to allowing another approximately 35 stalls in the adjacent City Hall parking lot for Case Plaza to utilize during the construction period in 2016. These parking arrangements will mitigate the temporary parking losses incurred by Case Plaza during the floodwall construction.
3. Mitigation for permanent loss of parking caused by the project. Upon completion of the floodwall construction, the existing Case Plaza parking lot will be returned to use for parking, as will the adjacent Mid-America Steel parking lot, but due to the floodwall, Case Plaza will lose upto 37 parking stalls. The appraisal concluded that the loss of parking will impact the net operating income, and therefore the market value for Case Plaza. Based on the loss of 37 parking stalls, along with a credit for the parking stalls that are currently rented by Case, a capitalization rate of 8.5 percent, which was established by the appraiser, the resulting market value loss is \$238,589.
4. The total compensation due to Case Plaza is \$240,000.

May 11, 2016

### **Requested Action/Recommendation**

1. Recommend to CCJWRD, execution of an 'Entry and Construction Agreement' to allow for immediate access to the Case Plaza property for construction of the floodwall project
2. Recommend to CCJWRD, execution of a Purchase Agreement in the amount of \$240,000 as just compensation to Case Plaza for acquisition of land and severance damages.
3. Recommend to CCJWRD, execution of an Option Agreement to allow Case Plaza the option to purchase of the remnant triangular parking lot after relocation of Mid-America Steel from downtown Fargo.







# FM Area Diversion Project

## Property Acquisition Summary

---

May 11, 2016

### Property

|                       |   |
|-----------------------|---|
| Owner                 | Terrie Romine   |
| Previous address      | 4989 Klitzke Dr, Pleasant Twp, ND                       |
| Property Type         | Single family residential, Medical hardship acquisition |
| Identification Number | 9436, 9440  |

### Property Need

Acquisition of this property is required as part of the future project staging area. See attached map. The property owner has applied for and been granted approval from the hardship committee of a purchase in advance of the project timeline in order to accommodate the owners medical hardship and need to sell the property.

### Description of Acquired Property

The buyout property is a split entry, 3 bedroom, 2 bath home with 1,814 SF of Gross Living Area, built in 1975, situated on 1.67 acres in a rural setting. The property also includes an 8 x 12 workshop and an attached double garage.

### Compensation & Negotiations Summary

Compensation amounts proposed are based on an appraisal of the subject property provided by a qualified appraiser following the Yellow Book standards. The appraisal has been reviewed and approved by USACE. The property appraisal identified a market value of \$246,700.00 for the subject property, which the owner has agreed to accept as the Just Compensation for the property.

### Relocation Compensation Summary

The Replacement Housing Study and Payment for the above listed property is attached. The recommended maximum eligible replacement housing differential payment is \$89,642.44 based on the replacement housing study conducted by Evergreen Land Services of comparable properties. There will be other relocation benefits provided to the Romine's under URA. These may include a move payment, closing costs associated with the replacement property, as well as an interest differential payment.

### Requested Action/Recommendation

Recommend to CCJWRD to enter into a Purchase Agreement with Terry Romine in the amount of \$246,700.00.

Recommend to CCJWRD to provide the RHDP allowance of \$89,642.44 and eligibility for eligible relocation benefits in accordance with the Uniform Relocation Act

*Note: In consideration of the medical hardship condition as well as the MnEIS, the Purchase Agreement will not include acquisition of the property until the MnEIS is complete. The Purchase Agreement will provide the Romine's with funds that will enable them to secure a replacement property in accordance with URA.*



### APPLICANT PARCELS

LYLE E &amp; TERRIE L ROMINE

1. PIN#: 57-0600-00030-000

2. PIN #: 57-0600-00020-000

ADDRESS: 4989 KLITZKE DR

PLEASANT TOWNSHIP, ND

### Subject Parcels

Impacted


Parcel: Yes

Location: Staging

100 YEAR  
TOTAL DEPTH

0.5' - 1'

1' - 3'

  $>3'$

0 390 780 1,170  
FEET

LAST UPDATED: 2/20/2015 

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PRICE DIFFERENTIAL PAYMENT

**ANALYSIS OF COMPARABLE PROPERTIES**

Project: FM Area Diversion-Medical Hardship\_

County: Cass

Parcel: 9440

Owner: Terry Romine

Address: 4989 Klitzke Drive

City: Horace, ND

|                           | Subject                  | Comparable Properties                                |  |  |
|---------------------------|--------------------------|--|--|--|
|                           |                          | No. 1  | No. 2  | No. 3  |
| Appraised Value           | \$246,700.00             |  |  |  |
| List Price                |                          | \$299,900.00   | \$315,000.00   | \$292,000.00   |
| Carve Out                 |                          | \$36,442.44  | \$70,164.36  | \$67,982.76  |
| Address                   | 4989 Klitzke Drive       | 7315 Elm Court                                       | 57 Fremont Drive<br>(13 miles)                       | 2717 38 <sup>th</sup> Avenue<br>(13 miles)           |
| City                      | Horace                   | Horace   | Fargo  | Fargo  |
| Date of Inspection        | 07-1-2015                |  |  |  |
| Style                     | Split-Level              | Rambler  | Two Story  | Split level  |
| Construction              | Wood                     | Wood   | Wood   | Wood   |
| Actual Age/Eff.Age        | 1975                     | 1974   | 1986   | 1991   |
| Condition AEB             | Average                  | Average  | Average  | Average  |
| No. of Units              | Single Family            | Single Family  | One  | One  |
| No. of Rooms              | Six                      | Seven  | Six  | Seven  |
| No. of Bedrooms           | Three                    | Four   | Three  | Four   |
| Bedrooms Required         | Two                      | Two  | Two  | Two  |
| No. of Baths              | 2 Full                   | 2 Full   | 1 ¾ Baths  | 1, ¾ and ½ Baths                                     |
| Total Area (Sq. Ft. Fin.) | 1,814                    | 2,736  | 2,725  | 2,222  |
| Basement                  | 578 sq. ft.              | Full   | Full   | Full   |
| Bsmt- Types of Fin. Rms.  | Unfinished               | Unknown.   | Unknown  | Unknown  |
| Heat/Cooling              | GFA/ Cen                 | G.F.A / Cen  | G.F.A. / Cen   | G.F.A./ Cen  |
| Fireplaces                | One                      | One  | One  | One  |
| Other Finished Space      | N/A                      | N/A  | N/A  | N/A  |
| Garage                    | Two attached             | Two attached Three detached                          | Two detached   | Three attached                                       |
| Lot Size                  | 72,947 sf /1.67 A +/-    | 39,204 sf / .90 A +/-                                | 7,980 sf / .18 A +/-                                 | 10,000 sf / .23A +/-                                 |
| Neighborhood A/ E/B       | A                        | A  | A  | A  |
| Schools                   | Available                | Available  | Available  | Available  |
| Public Transportation     | Available                | Available  | Available  | Available  |
| Church                    | Available                | Available  | Available  | Available  |
| Place of Employment       | Available                | Available  | Available  | Available  |
| Water 1. Type 2. Adequate | 1. Well 2. Yes           | 1. Well 2. Yes                                       | 1. Well 2. Yes                                       | 1. City 2. Yes                                       |
| Sewer 1. Type 2. Adequate | 1. Septic 2. Yes         | 1. Septic 2. Yes                                     | 1. Septic 2. Yes                                     | 1. City 2. Yes                                       |
| Other Comments            | 8 x 12 workshop building | Adjustment of 33,743 sq.ft. x \$1.08 or \$36,442.44, | Adjustment of 64,967 sq. ft. x \$1.08 or \$70,164.36 | Adjustment of 62,947 sq. ft. x \$1.08 or \$67,982.76 |

**Comparable Comments & Conclusions:**

The Cass County Joint Water Resource District has determined that the #1 Comparable listed above meets the definition of a comparable replacement property as defined in 49CFR Section 24.2(6). In order for this property owner to purchase a comparable property as defined in 40CFR, the maximum Replacement Housing Differential Payment (RHDP) would be \$89,642.44

\$ 299,900.00

List Price of Prime Comparable.

\$299,900.00  
Comparable

minus \$210,257.56  
Acquisition Cost minus carve out

= \$89,642.44  
Maximum RHDP

Approval (CCJWRD)