



Memorandum

TO: Robert Wilson & Michael Redlinger

FROM: Jodi A. Smith

DATE: August 9, 2024

RE: Excess Lands Recommendation – OIN 858, subject to Flowage Easement+

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Co-Executive Directors may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Co-Executive Directors to declare OIN 858 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 858

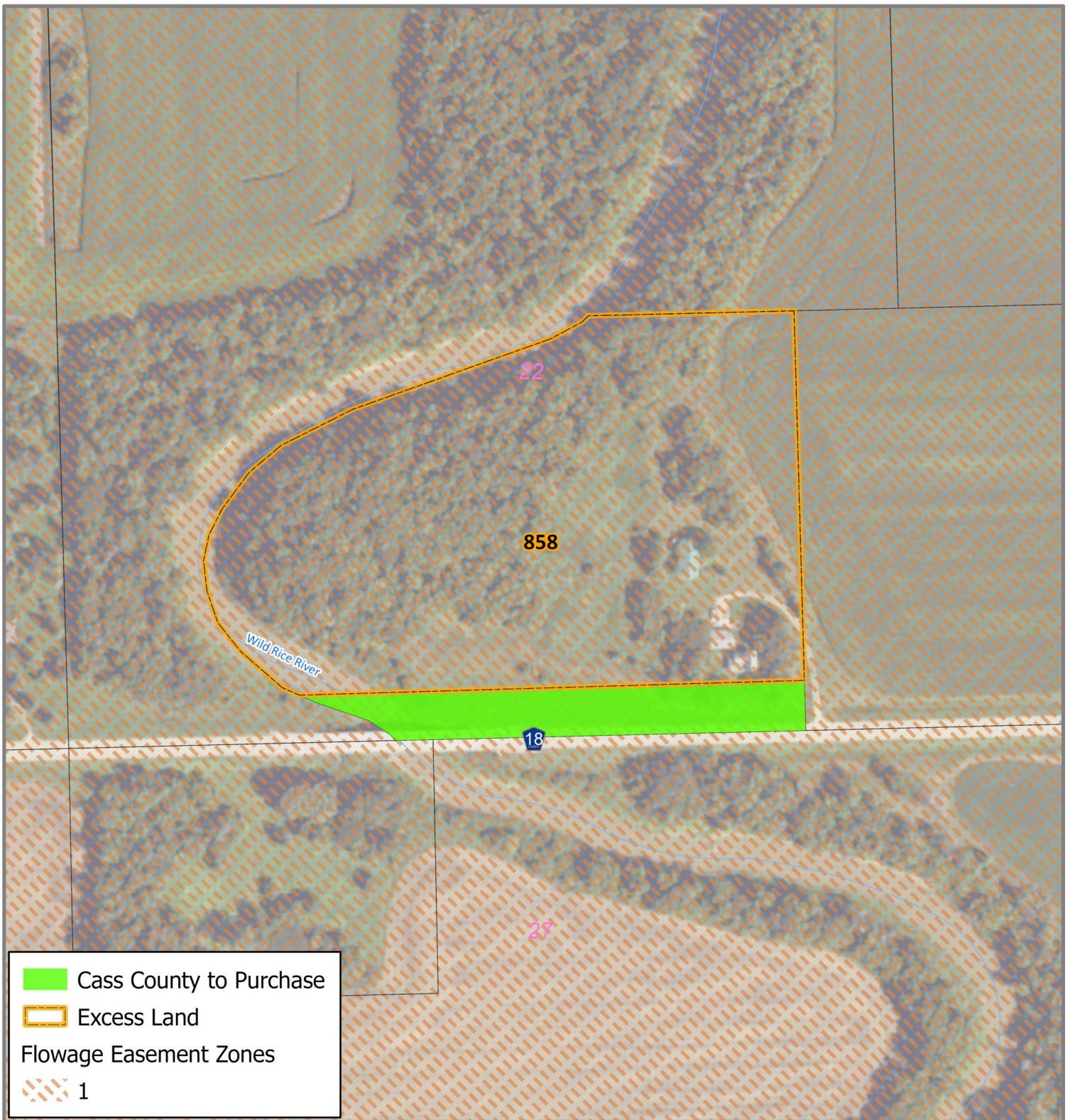
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	10.54 acres

<p>Narrative Description of Parcel(s)</p>	<p>OIN 858 is located on the north side of Cass County Road 18 (52nd Street SE) approximately one mile west of I-29 in the Upstream Mitigation Area associated with the Comprehensive Project.</p> <p>New owner will need to seek access easement from neighboring property owner or seek approval from the County to install a new field approach.</p>
<p>Purchase Date</p>	<p>August 4, 2022</p>
<p>Purchase Price</p>	<p>\$522,000, inclusive of a home, detached garage, and storage building, which have been removed from the parcel.</p>
<p>Proposed Sale Price</p>	<p>\$57,970</p> <p>Based on \$5,500/acre for flowage easement encumbered recreational land.</p>
<p>Former Owner</p>	<p>LeLonnie & William Graham</p>
<p>Adjacent Owners</p>	<p>OIN 857 & 1973 – Brodshaug Cass County Farms LLLP</p> <p>OIN 859 – Irene Backlund</p>
<p>Property Management Approach</p>	<p>This parcel has been maintained through a haying agreement with Schmidt and Sons since 2023.</p>
<p>Property Taxes</p>	<p>The 2023 property taxes were \$2,419.95</p>
<p>Relation to Construction</p>	<p>This parcel is in the UMA, and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. The former buildings on the parcel have been removed from the site, and the site has been restored. Any future sale will need to reserve a flowage easement on the parcel to ensure no future development.</p>
<p>Right of First Refusal</p>	<p>The prior landowner is not entitled to a ROFO.</p>

3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 858 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

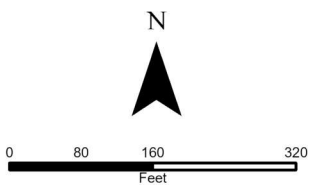
Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.

Coordinate System: NAD 1983 UTM Zone 14N | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | OIN 858



**OIN: 858
CCJWRD
Parcel ID: 57-0000-10350-017
Cass County, ND**

FM AREA DIVERSION
Map Date: 8/7/2024



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the O & E Report dated June 28, 2021. This sale excludes the south 75' being purchased by Cass County.

Legal Description:

That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 137 North of Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, described as follows:
Commencing at the Southeast corner of the Southwest Quarter of said Section 22; thence West along the South line of said Section 22 a distance of 10 rods to the point of beginning; thence North parallel to the West line of said Section 22, 40 rods; thence West parallel to the South line of said Section 22 to the center of the Wild Rice River; thence left upstream along the center line of the Wild Rice River to a point of intersection with the South line of said Section 22; thence along the South line of said Section 22 to the point of beginning.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 858 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

Robert Wilson
Co-Executive Director

08/09/2024

Date

Michael Redlinger
Co-Executive Director

08/09/2024

Date