



Memorandum

TO: Robert Wilson & Michael Redlinger

FROM: Jodi A. Smith

DATE: August 30, 2024

RE: Excess Lands Recommendation – OIN 1926, 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 1926 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1926

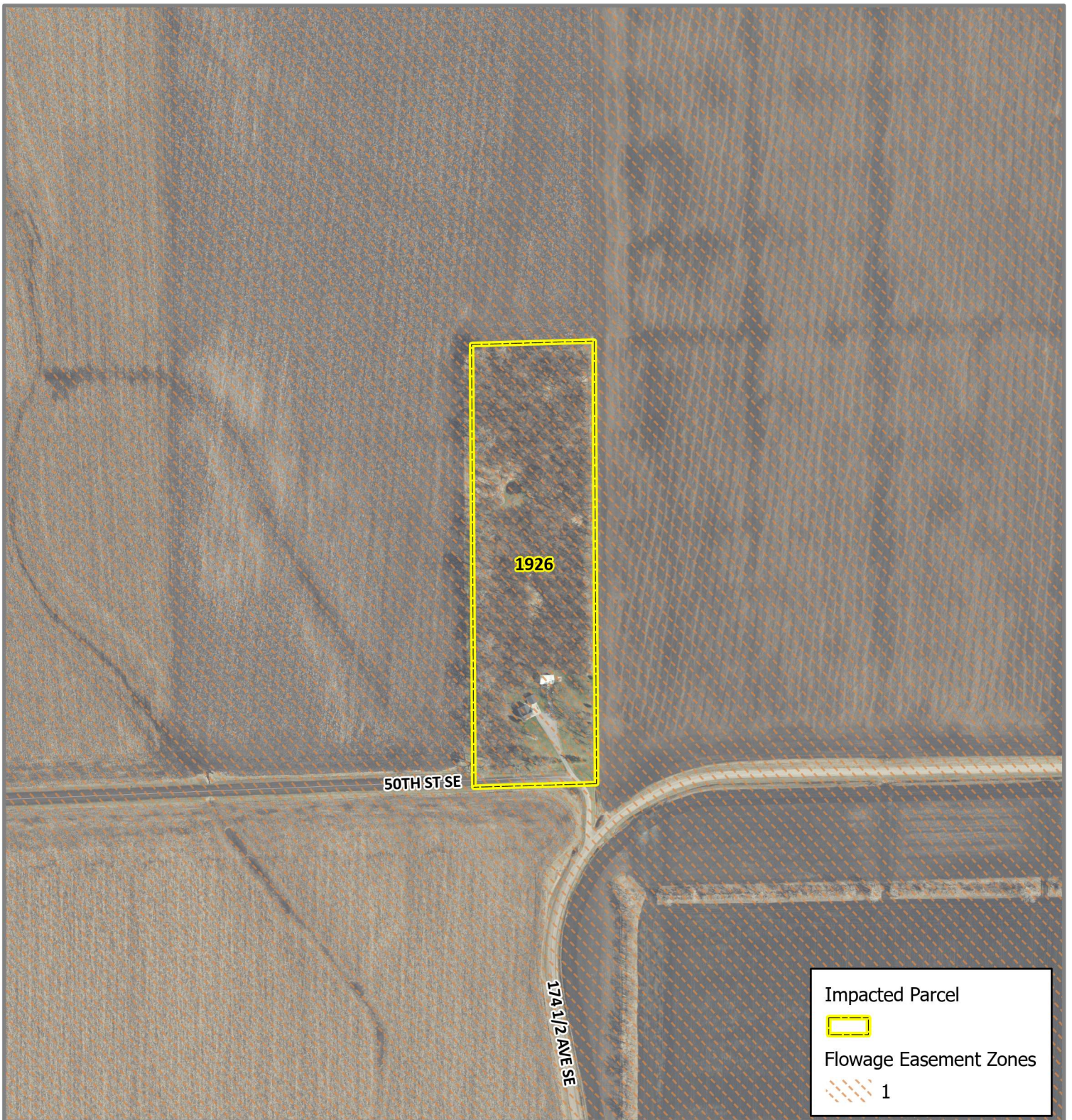
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	11.95 acres

Narrative Description of Parcel(s)	OIN 1926 is located on 50 th St SE approximately one mile east of I-29 in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	August 31, 2017
Purchase Price	\$400,000
Proposed Sale Price	\$65,700 Based on \$5,500/acre for flowage easement encumbered recreational land.
Former Owner	Scott Young
Adjacent Owners	OIN 1924 – Jordan Young OIN 1925 – Annette Clemedtson OIN 1927 – Theresa Nelson GST Trust (In Eminent Domain) OIN 1929 – Brodshaug Cass County Farms LLLP
Property Management Approach	This parcel has been maintained through a weed control and mowing contract with JT Lawn Services.
Property Taxes	There have been no recorded property taxes on this parcel since 2020, which came in at \$2,033.06.
Relation to Construction	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. This sale will also need to reserve the right to enter the property for removals of trees needed for other parts of the project.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 1926 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).

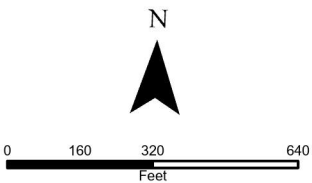
Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



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 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser | 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 | IndividualLayout



OIN: 1926
CASS COUNTY JOINT WATER RESOURCE DISTRICT
Parcel ID: 57-0000-10289-030
Cass County, ND

FM AREA DIVERSION
 Map Date: 8/30/2024



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Warranty Deed dated September 1, 2017

Auditor's Lot One, of the Southwest Quarter of Section Twelve, in Township One Hundred Thirty-seven North of Range Forty-nine West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1926 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 W. Wilson

Robert Wilson
Co-Executive Director

08/30/2024

Date

Michael Redlinger

Michael Redlinger
Co-Executive Director

08/30/2024

Date