



Memorandum

TO: Robert Wilson & Michael Redlinger

FROM: Jodi A. Smith

DATE: October 30, 2024

RE: Excess Lands Recommendation – OINs 2366Y, 2367Y, and 8852Y

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 OINs 2366Y, 2367Y, and 852Y as Excess Land and begin the process to dispose of these properties as one sale following the Policy.

2. Pertinent Facts Regarding OINs 2366Y, 2367Y, and 8852Y

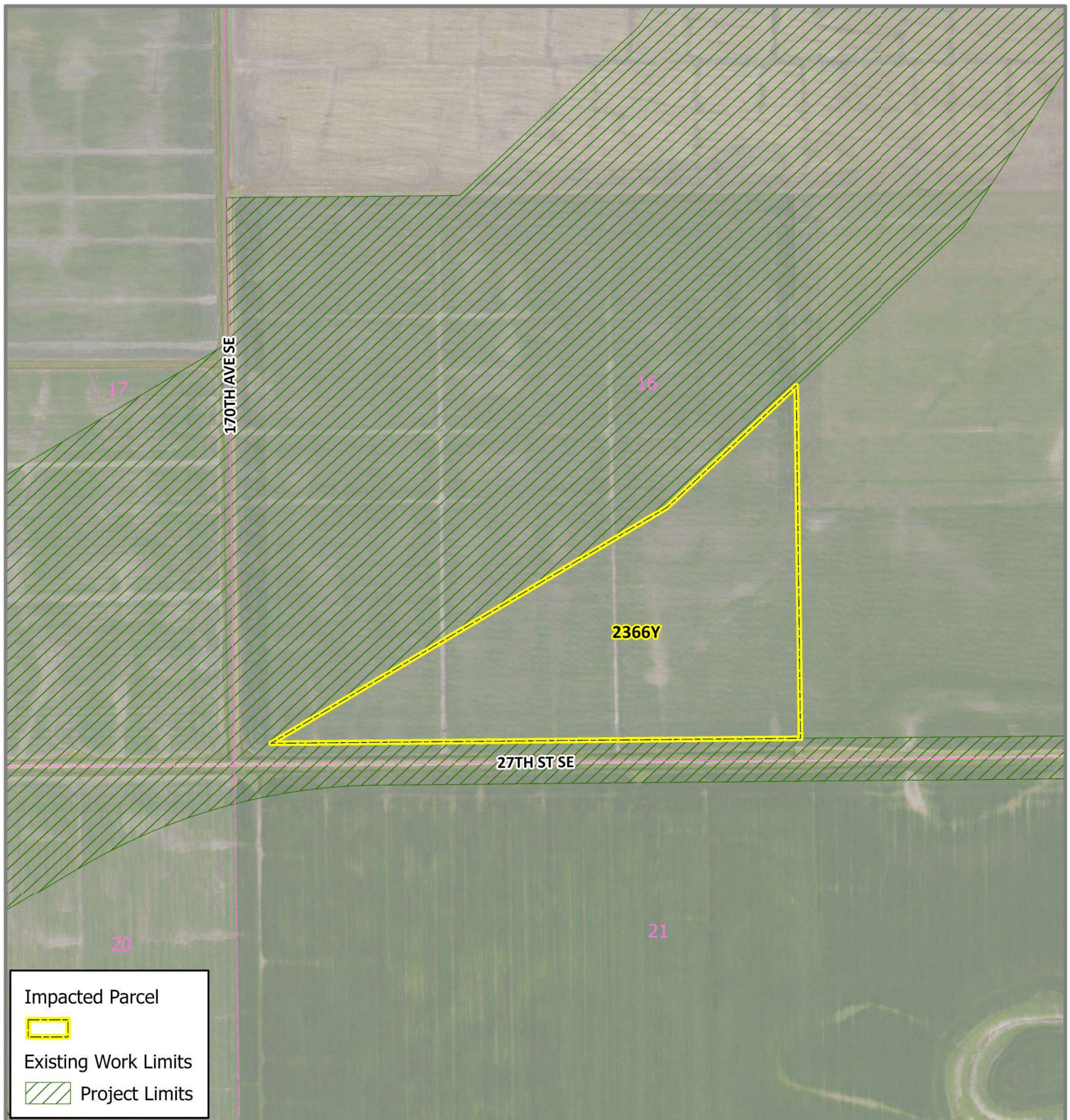
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|--------------------------|--|
| Description of Parcel(s) | See Exhibit A for a map showing the parcels recommended as excess land. |
| Legal Description | See Exhibit B for the legal descriptions of the parcels recommended as excess land. |
| Asset Parcel(s) Size | OIN 2366Y: 42.3 acres OIN 2367Y: 47.42 acres OIN 8852Y: 0.82 acres TOTAL = 90.54 acres |

| | |
|------------------------------------|--|
| Narrative Description of Parcel(s) | OINs 2366Y, 2367Y, and 8852Y are located along the south side of the Diversion Channel, northeast of I29. |
| Purchase Date | OIN 2366 & 2367: March 8, 2017 OIN 8852: April 4, 2017 |
| Purchase Price | OIN 2366 & 2367: \$1,315,000, which equates to approximately \$6,000/acre OIN 8852: \$5,000, which equates to approximately \$5,000/acre |
| Proposed Sale Price | OIN 2366Y, 2367Y, and 8852Y: \$767,000 <ul style="list-style-type: none"> Based on \$8,500/acre |
| Former Owner | OIN 2366Y & 2367Y: City of Fargo OIN 8852Y: Edwin & Margaret Ployhart |
| Adjacent Owners | OIN 2366Y & 2367Y: Ordean & Helen Nygren (OIN 2367X) OIN 8852Y: Ordean & Helen Nygren (OIN 2367X) / Herman Rabanus (OIN 9053X) |
| Property Management Approach | OIN 2366Y: Pifer's Land Management since 2019 OIN 2367Y: Pifer's Land Management since 2019 OIN 8852Y: Pifer's Land Management since 2019 |
| Property Taxes | There is no recorded property tax data for these parcels. |
| Relation to Construction | The OINs in this recommendation are located along the south side of the Diversion Channel northeast of I29. These parcels are no longer needed or impacted by construction of the Project. |
| Right of First Refusal | OIN 2366Y: No OIN 2367Y: No OIN 8852Y: No |

3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 2366Y, 2367Y, and 8852Y 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).

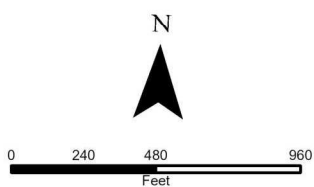
Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Any reliance upon this map is at user's own risk. AE25 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.

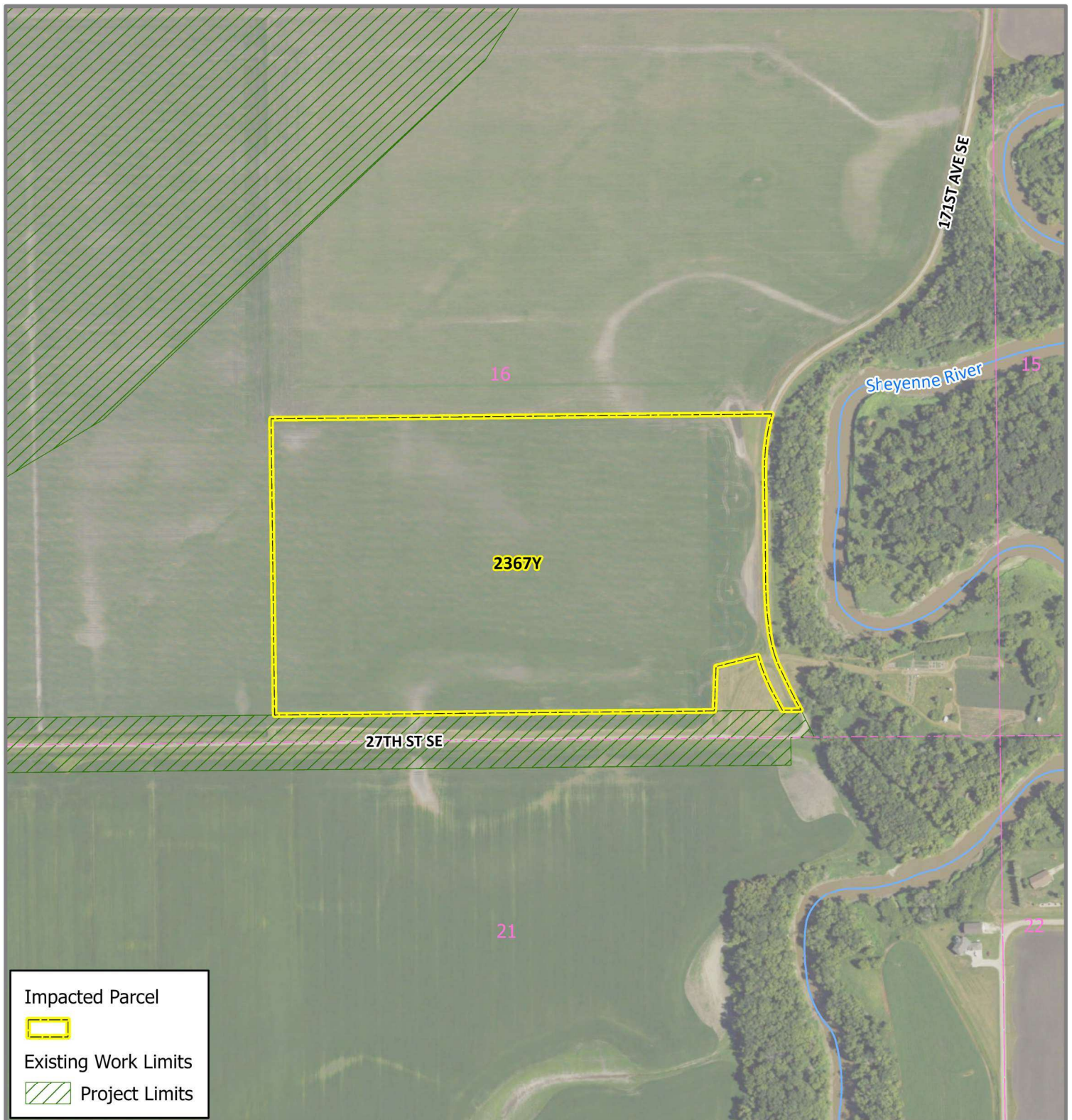
Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout



OIN: 2366Y
CASS COUNTY JOINT WATER RESOURCE DISTRICT
Parcel ID: 44-0000-00610-010
Cass County, ND

FM AREA DIVERSION
 Map Date: 10/10/2024

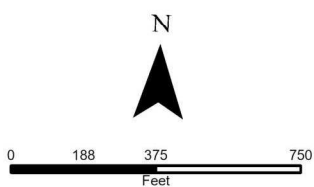




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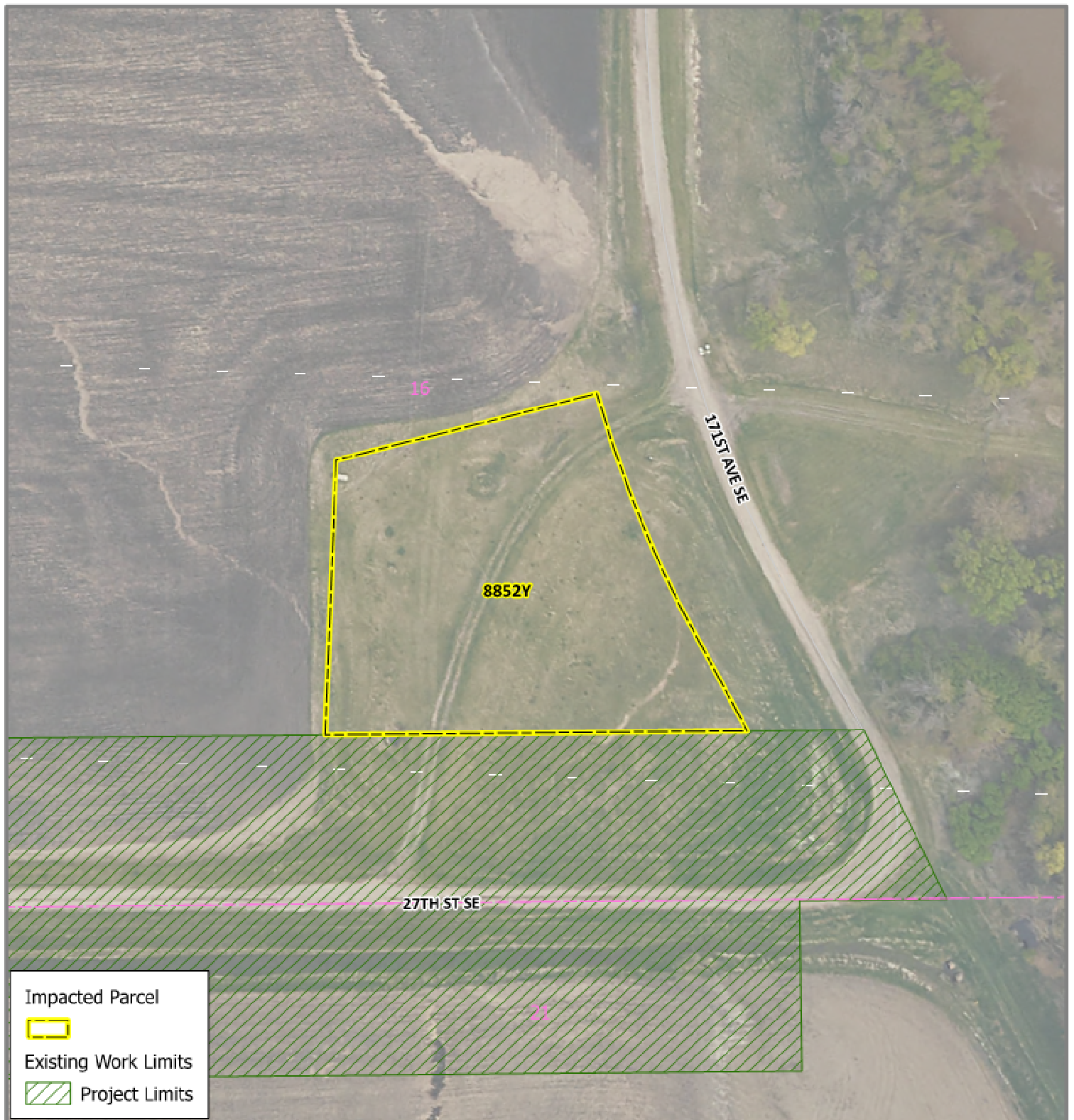
Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout



OIN: 2367Y
CASS COUNTY JOINT WATER RESOURCE
DISTRICT
Parcel ID: 44-0000-00620-050
Cass County, ND

FM AREA DIVERSION
 Map Date: 10/10/2024

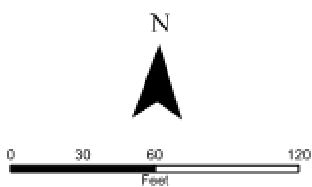




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OIN: 8852Y
CASS COUNTY JOINT WATER RESOURCE
DISTRICT
Parcel ID: 44-0000-00620-060
Cass County, ND

FM AREA DIVERSION
 Map Date: 10/10/2024



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

OIN 2366Y

That part of the Southwest Quarter (SW1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southeast Corner of the Southwest Quarter (SW1/4) of said Section 16; thence North 02 degrees 41 minutes 46 seconds West on the east line of said SW1/4 a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence South 87 degrees 27 minutes 11 seconds West parallel with, and 100.00 feet north, of the south line of said SW1/4, and on said easterly line of Lot 1 a distance of 2,474.12 feet to a corner of said Lot 1; thence North 57 degrees 13 minutes 38 seconds East on said easterly line of Lot 1 a distance of 2,152.96 feet to a corner of said Lot 1; thence North 44 degrees 43 minutes 16 seconds East on said easterly line of Lot 1 a distance of 829.87 feet to the east line of said SW1/4; thence South 02 degrees 41 minutes 46 seconds East on said east line of the SW1/4 a distance of 1,646.95 feet to the Point of Beginning.

Said parcel contains 42.33 acres, more or less.

OIN 2367Y

That part of the Southeast Quarter (SE1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southwest Corner of the Southeast Quarter (SE1/4) of Section 16; thence North 02 degrees 41 minutes 46 seconds West on the west line of said SE1/4 a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence continuing North 02 degrees 41 minutes 46 seconds West on said west line of the SE1/4 of Section 16 a distance of 1,080.73 feet; thence North 87 degrees 27 minutes 15 seconds East a distance of 1,825.22 feet to the centerline of the township road as currently located in said SE1/4 of Section 16; thence, on said township road centerline, 151.74 feet on the arc of a non-tangential curve, concave to the southeast, having a radius of 450.00 feet, a central angle of 19 degrees 19 minutes 15 seconds, and a long chord length of 151.03 feet bearing South 07 degrees 21 minutes 09 seconds West; thence, continuing on said township road centerline, South 02 degrees 18 minutes 28 seconds East, tangent to the preceding curve, a distance of 494.12 feet; thence, continuing on said township road centerline, 387.83 feet on the arc of a tangential curve, concave to the northeast, having a radius of 800.00 feet, a central angle of 27 degrees 46 minutes 35 seconds, and a long chord length of 384.04 feet bearing South 16 degrees 11 minutes 46 seconds East; thence, continuing on said township road centerline, South 30 degrees 05 minutes 03 seconds East a distance of 72.89 feet to a corner of said Lot 1; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, the south line of said SE1/4 of Section 16, and on the easterly line of said Lot 1 a distance of 68.73 feet; thence North 30 degrees 16 minutes 22 seconds West a distance of 84.58 feet; thence 131.74 feet on the arc of a non-tangential curve, concave to the northeast, having a radius of 710.49 feet, a central angle of 10 degrees 37 minutes 26 seconds, and a long chord length of 131.55 feet bearing North 23 degrees 15 minutes 02 seconds West; thence South 73 degrees 40 minutes 35 seconds West a distance of 157.93 feet; thence South 00 degrees 15 minutes 17 seconds West a distance of 160.50 feet to the easterly line of said Lot 1; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, the south line of said SE1/4, and on said easterly line of Lot 1 a distance of 1,602.89 feet to the Point of Beginning.

Said parcel contains 44.19 acres, more or less.

OIN 8852Y

That part of the Southeast Quarter (SE1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southeast Corner of the Southeast Quarter (SE1/4) of Section 16; thence South 87 degrees 27 minutes 15 seconds West on the south line of said SE1/4 a distance of 796.45 feet; thence North 02 degrees 32 minutes 45 seconds West perpendicular to said south line a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, said south line of the SE1/4, and on said easterly line of Lot 1 a distance of 247.09 feet; thence North 00 degrees 15 minutes 17 seconds East a distance of 160.50; thence North 73 degrees 40 minutes 35 seconds East a distance of 157.93 feet; thence 131.74 feet on the arc of a non-tangential curve, concave to the northeast, having a radius of 710.49 feet, a central angle of 10 degrees 37 minutes 26 seconds, and a long chord length of 131.55 feet bearing South 23 degrees 15 minutes 02 seconds East; thence South 30 degrees 16 minutes 22 seconds East a distance of 84.58 feet to the Point of Beginning; Said parcel contains 0.82 acres, more or less.

Exhibit C: Declaration of Excess Land Form

I hearby declare that OINs 2366Y, 2367Y, and 8852Y 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

10/30/2024

Date

Michael Redlinger

Michael Redlinger
Co-Executive Director

10/30/2024

Date