



# Memorandum

TO: Jason Benson

FROM: Jodi A. Smith

DATE: March 18, 2025

RE: Excess Lands Recommendation – OIN 1899, 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 Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Executive Director to declare OIN 1899 as Excess Land, subject to a flowage easement, and begin the process to dispose of the property following the Policy.

## 2. Pertinent Facts Regarding OIN 1899

|                          |  |
|--------------------------|--|
| 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     | 52.76 acres  |

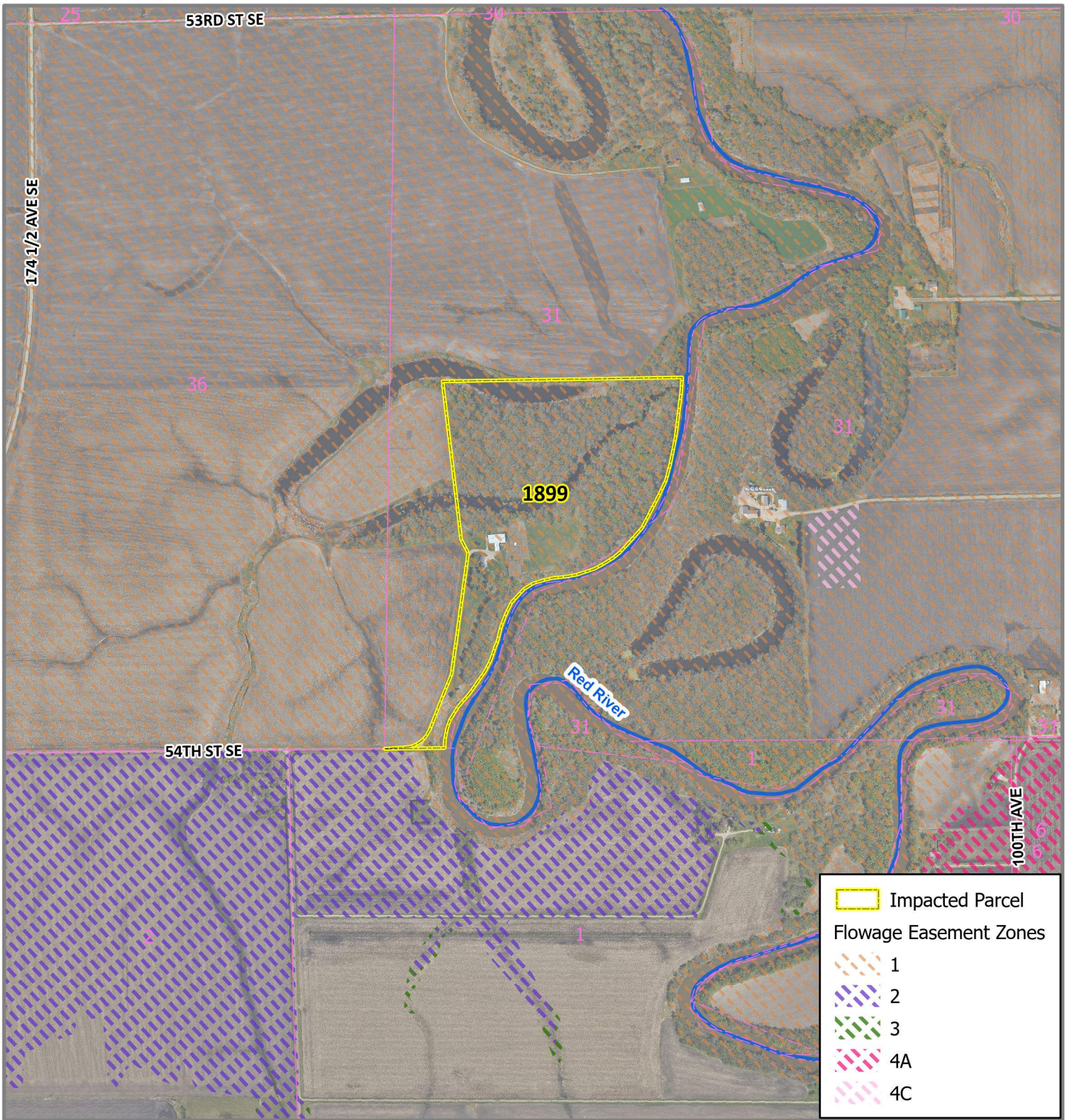
|   |   |
|---|---|
| <p>Narrative Description of Parcel(s)</p> | <p>OIN 1899 is a heavily wooded parcel located along the Red River in the southeast corner of Cass County. The parcel has access from 54<sup>th</sup> St SE and the parcel boundary aligns with the center line of the driveway as described in Exhibit B. This parcel is in the Upstream Mitigation Area, Mitigation Zone 1.</p> <p>When acquired, the property had a rural residence, a large horse barn, several other outbuildings, and was home to multiple businesses that have been relocated.</p> |
| <p>Purchase Date</p>                      | <p>December 15, 2022</p>  |
| <p>Purchase Price</p>                     | <p>\$1,115,000</p>  |
| <p>Proposed Sale Price</p>                | <p>\$275,000</p> <p>Based on roughly \$5,300/acre for flowage easement encumbered recreational land.</p>  |
| <p>Former Owner</p>                       | <p>Matthew &amp; Kerri Longtine</p>   |
| <p>Adjacent Owners</p>                    | <p>OIN 1896 – Stanley &amp; Terri Anderson (In Eminent Domain)</p> <p>OIN 1897 – Irene Backlund</p> <p>OIN 1830 – Richard Willem</p> <p>OIN 1451 – Stuart &amp; Laverna Ystebo LLLP (In Eminent Domain)</p> <p>OIN 1826 – Larry &amp; Judith Ness</p>   |
| <p>Property Management Approach</p>       | <p>This parcel has been maintained through a weed control and mowing contract with JT Lawn Services.</p>  |
| <p>Property Taxes</p>                     | <p>The property taxes on OIN 1899 for 2024 were \$5,541.78</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 Zone 1 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 1899 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

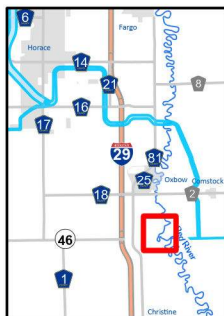
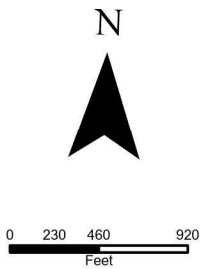




Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

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



Locator Map Not to Scale

**OIN: 1899**  
**CASS COUNTY JOINT WATER RESOURCE DISTRICT**  
**Parcel ID: 57-0000-10219-020**  
**Cass County, ND**

FM AREA DIVERSION  
 Map Date: 3/18/2025





## Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the O&E Report dated July 6, 2020


### **Legal Description:**

All of Government Lot 7 and that part of Government Lots 3 and 4 lying East of the following described line, in Section 31, Township 137 North of Range 48 West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota, said line is described as follows:

From the Southwest corner, existing iron monument, of Section 36, Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, bear North 90°00'00" East (assumed bearing along the South Line of said Section 36 for a distance of 5286.44 feet to the Southeast corner of said Section 36 also the Southwest corner of Section 31, an iron Monument, Township 137 North of Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota; thence bear North 90°00'00" East for a distance of 157.91 feet to an iron monument the Point of Beginning of the line herein described, said Point of Beginning is also the point of curvature of a circular curve of radius 197.95 feet and delta angle 66°35'09"; thence easterly and northeasterly along said circular curve, the approximate centerline of the existing access road, for a distance of 230.05 feet to an iron monument the point of tangency with a line that has a bearing of North 23°24'51" East; thence North 23°24'51" East along said line, the approximate centerline of the existing access road for a distance of 240.03 feet to an iron monument, the point of curvature of a circular curve of radius 886.69 feet and delta angle of 14°46'46"; thence northeasterly along said circular curve, the approximate centerline of existing access road for a distance of 228.72 feet to an iron monument the point of tangency of a line having a bearing of North 08°38'05" East; thence North 08°38'05" East along said line, the approximate centerline of the existing access road, for a distance of 901.97 feet to an iron monument; thence North 25°49'58" West for a distance of 112.49 feet to an iron monument; thence North 05°58'44" West for a distance of 396.47 feet to an iron monument; thence North 06°34'44" West for a distance of 705 feet, more or less, to the North line of said Government Lot 3 and there terminating.

## Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1899 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.

  
\_\_\_\_\_  
Jason Benson  
Executive Director

03/18/2025  
\_\_\_\_\_  
Date