

Since the approval of this excess land recommendation back in July of 2025 the parcel has become subject to a farmland lease for the 2026 farming season. Any party interested in OIN 1834 would need to be accepting of this farmland lease to move forward.

The lease would end on December 31, 2026 and would not be reissued as long as the sale of this parcel is executed no later than Q1 of 2027. If an interested party is still not know at that time the Project will need to execute a lease for the 2027 farming season.



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 11, 2025

RE: Excess Lands Recommendation – OIN 1834, 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 1834 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1834

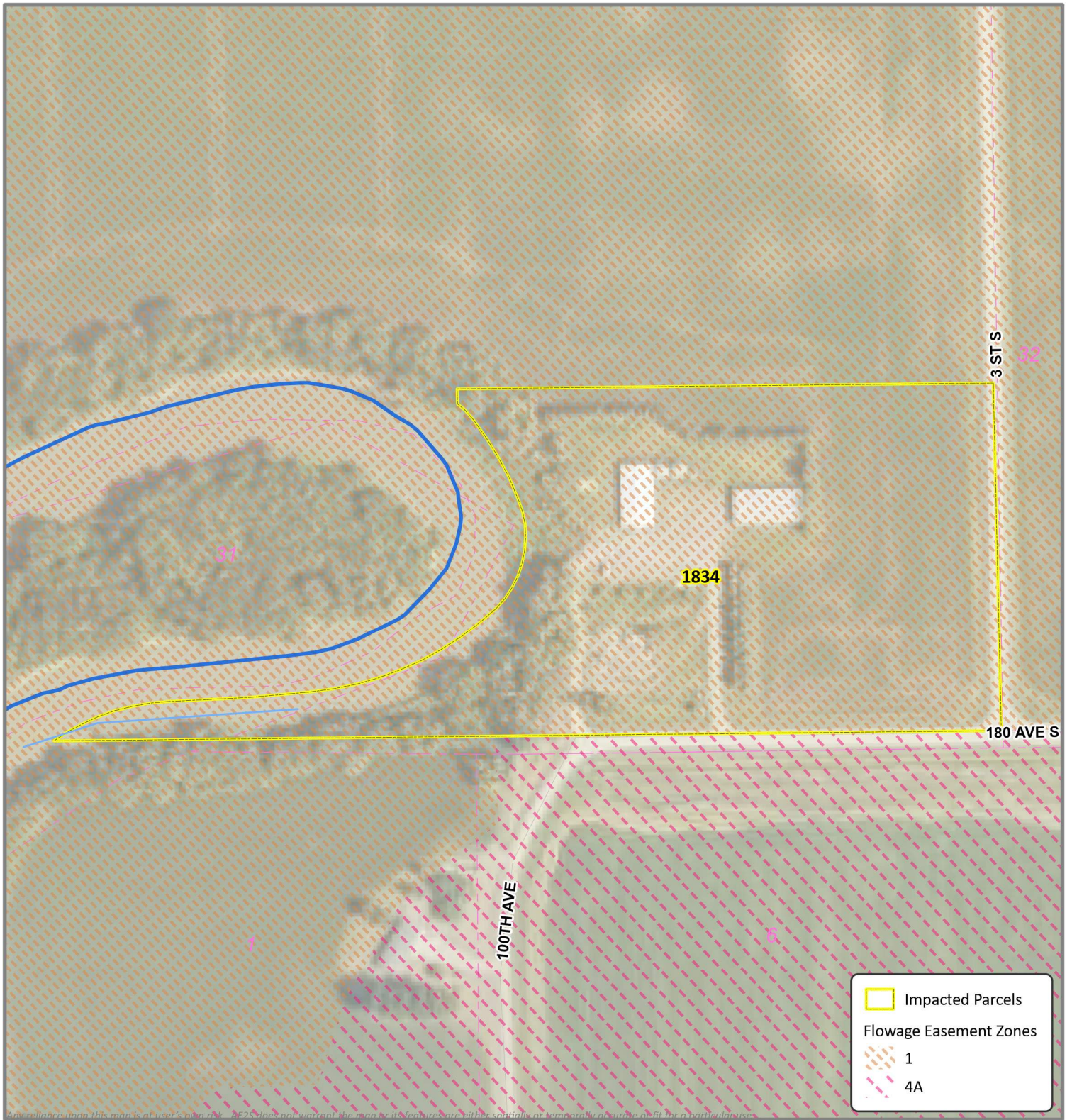
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|--------------------------|--|
| Description of Parcel(s) | See Exhibit A for a map showing the parcel recommended as excess land. |
| Legal Description | See Exhibit B for legal description for the parcel recommended as excess land. |
| Asset Parcel(s) Size | 9.53 acres |

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|------------------------------------|--|
| Narrative Description of Parcel(s) | OIN 1834 is located in Minnesota on the corner of 180 th Ave South and 37 th St South in the Upstream Mitigation Area associated with the Comprehensive Project. There are approximately 3 acres of irregularly shaped tillable land as part of this parcel |
| Purchase Date | November 14, 2021 |
| Purchase Price | \$620,800 |
| Proposed Sale Price | \$52,000 Based on \$5,500/acre for flowage easement encumbered recreational land, considering the tillable acres on this parcel are small and irregularly shaped. |
| Former Owner | Micki Barnard |
| Adjacent Owners | OIN 1827 & 1833X – Ness Family Farm LLP OIN 1252 & 1824X – Keith & Norma Kragerud OIN 1250X – Paul & James Quinnild OIN 1670X – Larry & Judith Ness, LLLP |
| Property Management Approach | The farmstead portion of this parcel has been maintained through a weed control and mowing contract with JT Lawn Services and a Farmland Lease on the tillable acres. |
| Property Taxes | For 2024 this property had an annual of \$3,662 in property taxes and \$46 so far for 2025. |
| 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. |
| 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 1834 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).

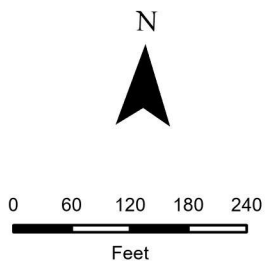
Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Any reliance upon this map is at user's own risk. BE2S does not warrant the map or its features are either partially or temporarily of some profit 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 | Not Data Driven Layout



OIN: 1834

**Owner: MCCJPA
Parcel ID: 15.031.4401**

Clay County, MN

FM AREA DIVERSION
Map Date: 5/20/2025




Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated October 19, 2021.

The South 507 feet of that part of Government Lot Six and the Northeast Quarter of the Southeast Quarter of Section Thirty-one, Township One Hundred Thirty seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota, which is included within the following metes and bounds description: Beginning at the Southeast corner of Section Thirty-one, Township One Hundred Thirty-seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota; thence North 00°00'00" West along the East line of said Section Thirty-one, a distance of 1,743.82 feet; thence South 89°50'40" West a distance of 760.61 feet; thence South 00°17'38" West a distance of 1,324 feet, more or less, to a Point of Intersection with the East Bank of the Red River of the North; thence Southerly and Southwesterly along said East River Bank to the Point of Intersection with the South line of said Section Thirty-one; thence South 89°23'43" East along said South Section line a distance of 1,429 feet, more or less, to the point of beginning.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1834 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

7/14/2025

Date