



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: December 3, 2025

RE: Excess Lands Recommendation – OINs 9576, 9577, 9578, and 9579

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 OINs 9576, 9577, 9578, and 9579 as Excess Land.

2. Pertinent Facts Regarding OINs 9576, 9577, 9578, and 9579

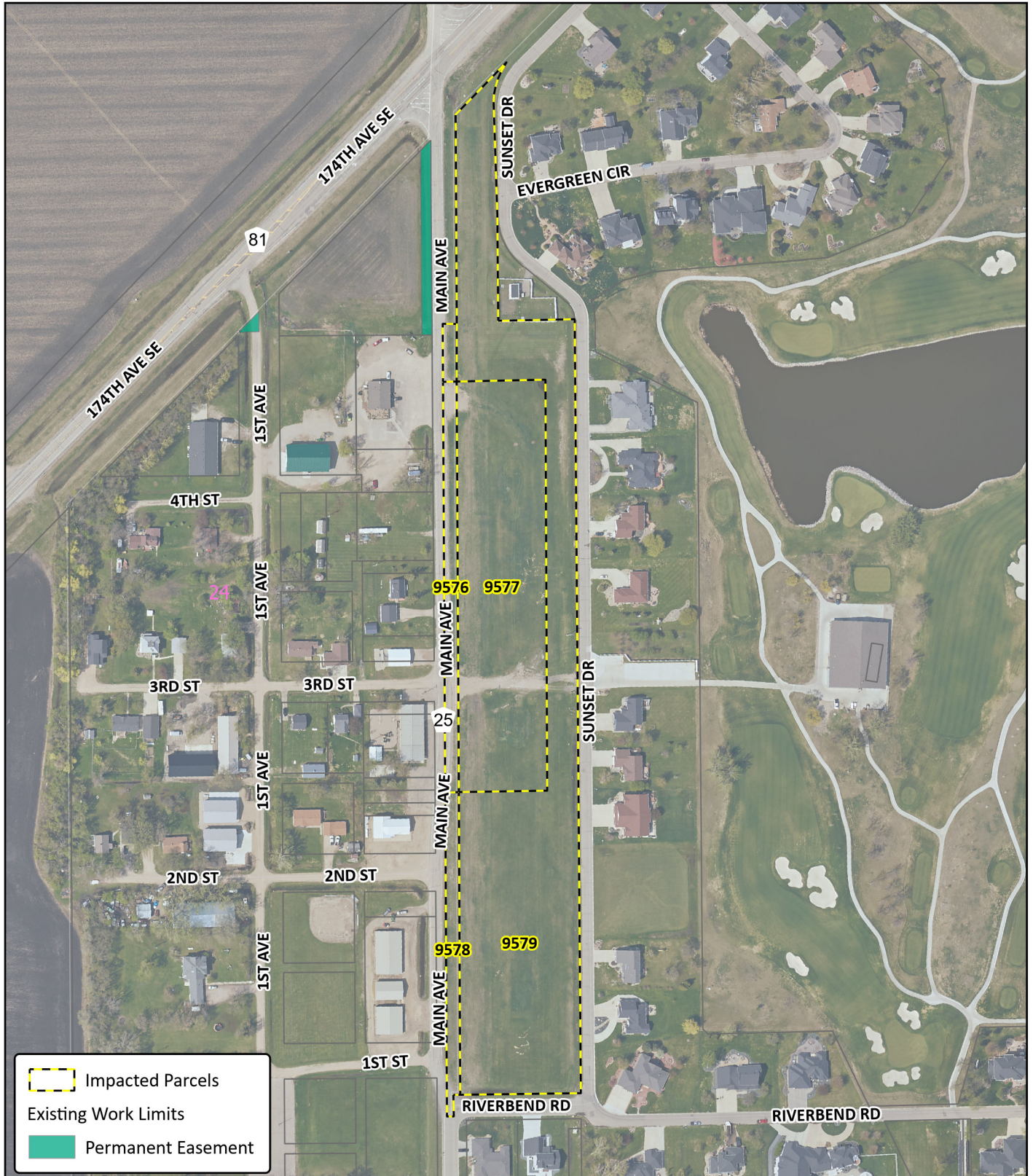
Description of Parcel(s)	See Exhibit A for a map showing the parcels recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcels recommended as excess land.
Asset Parcel(s) Size	OIN 9576 – 0.50 acres OIN 9577 – 3.24 acres OIN 9578 – 0.44 acres OIN 9579 – 5.83 acres Total = 10.01

Narrative Description of Parcel(s)	OINs 9576, 9577, 9578, and 9579 are located in Oxbow, North Dakota right between Main Avenue and Sunset Drive.
Purchase Date	December of 2024 for both owners.
Purchase Price	OINs 9576 and 9577 = \$447,600 OINs 9578 and 9579 = \$724,800 Total = \$1,172,400
Proposed Sale Price	\$1,000,000 Based on \$100,000/acre for developable land
Former Owners	OINs 9576 and 9577 = Orten Brodshaug OINs 9578 and 9579 = Hickson Grain Company
Adjacent Owners	These parcels are surrounded by roughly 24 residential sites.
Property Management Approach	These properties have been maintained through a weed control and mowing contract with JT Lawn Services since 2022. Reaching an overall maintenance cost of roughly \$50,000.
Property Taxes	Property taxes are exempt on all four parcels.
Relation to Construction	These parcels are located in Oxbow and are not impacted by construction of the Comprehensive Project. The former owners desired a full-take buyout of their property when they were approached about storm sewer improvements that were taking place and affecting their land. The area impacted by the storm sewer continues to have an existing utility easement that will need to carry over as part of this sale. A visual of this easement is shown in Exhibit C.
Right of First Refusal	The prior landowners are not entitled to a ROFO.

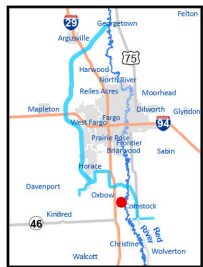
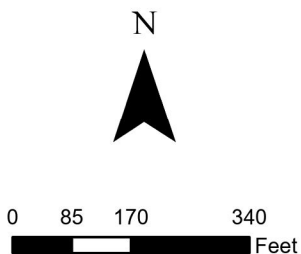
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 9576, 9577, 9578, and 9579 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 D).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



OINs: 9576, 9577, 9578, 9579
Owner: CASS COUNTY JOINT WATER RESOURCE DISTRICT
Parcel ID: 57-0000-10356-090, 78-0000-10356-030, 57-0000-10356-080, 78-0000-10356-040

Cass County, ND
FM AREA DIVERSION
 Date: 10/1/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal descriptions are from the Cass County Interactive WebMap.

OIN 9576

24-137-49 THE S 812' OF N 932' OF THE FOLL DESC TRACT OF LAND: PT NE1/4 DESC AS FOLL: COMM AT INTERS OF THE W LN OF E RAILROAD ST IN TOWNSITE OF HICKSON, & THE S LN OF NE1/4 OF SEC 24 BEING THE PT OF BEG; THN N ON & ALG THE W LN OF SD E RR ST FOR A DIS

OIN 9577

24-137-49 3.728 AC THAT PART OF THE FORMER CHIC/MILW/STPAUL PACIFIC RR CO'S 200' WIDE R/W LOC IN THE PLAT OF HICKSON & SIT IN THE N1/2 OF SEC 24 DESC AS FOLL: COMM AT SW COR OF NE1/4 OF SEC 24 THN S 88DG53'57"" W (ASSM BRG) ALG THE SLY L

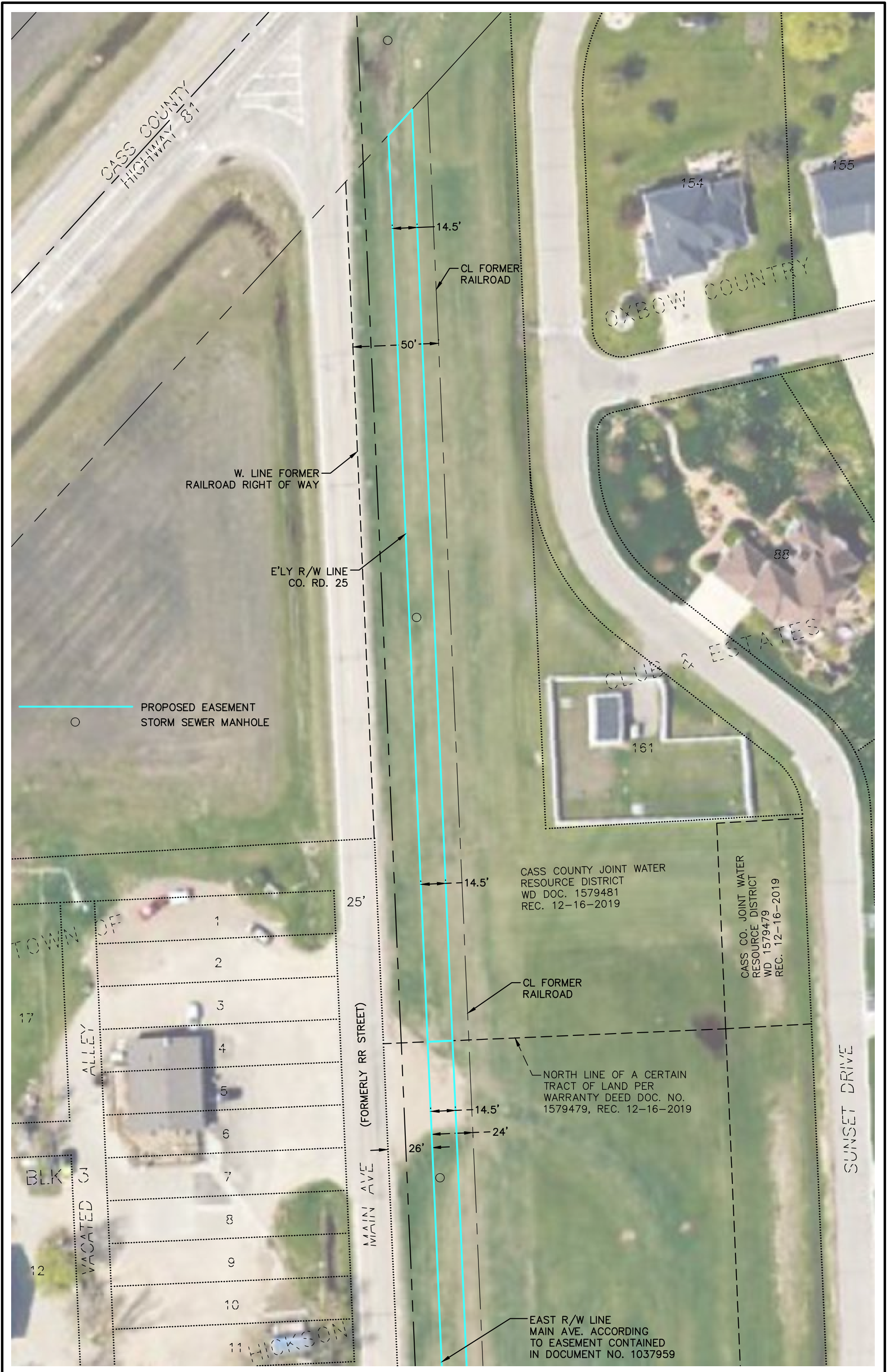
OIN 9578

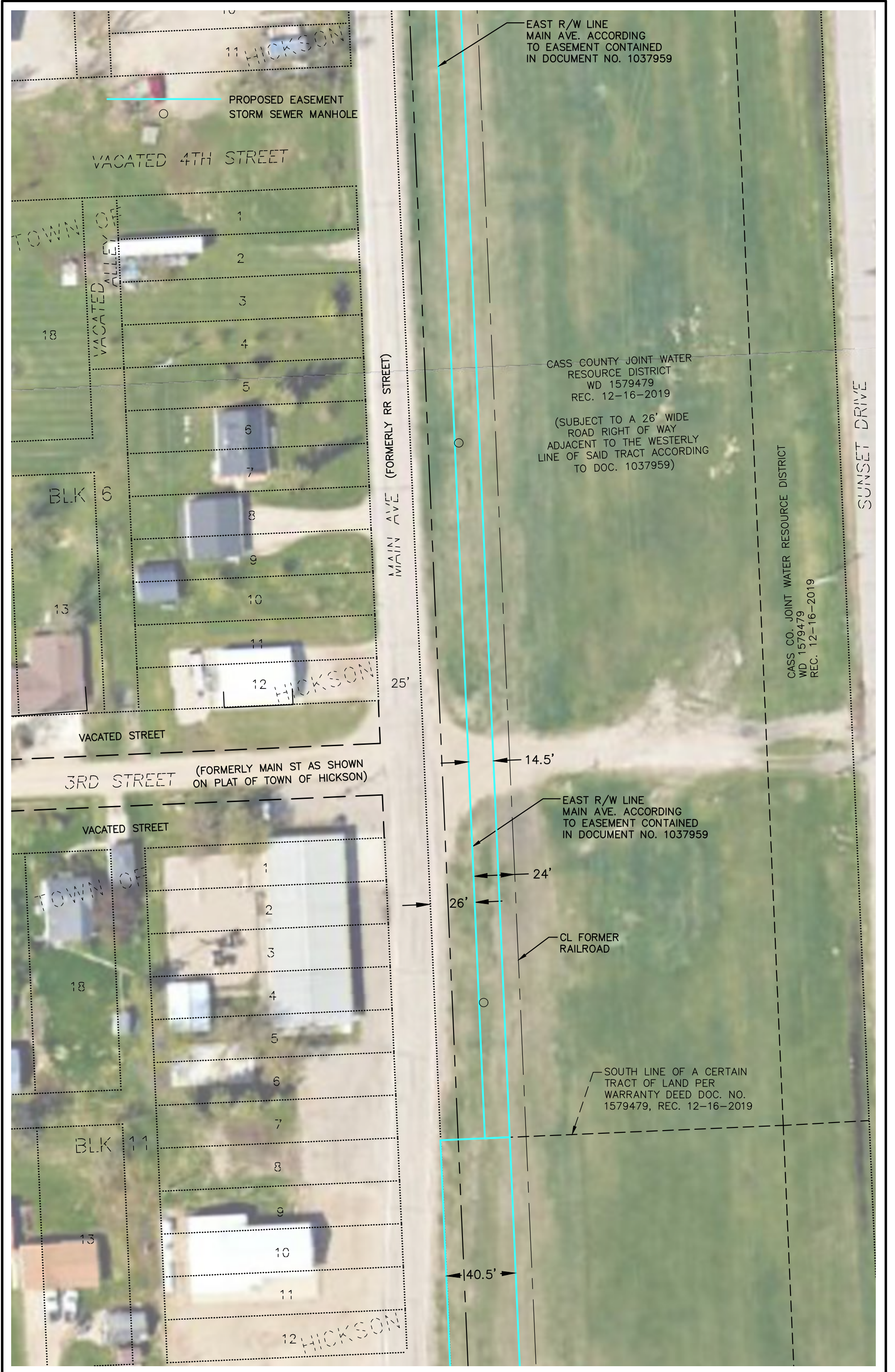
24-137-49 PT NE1/4 THE N 120' & N 598.14' OF S 868.14' OF THE FOLL DESC TRACT OF LAND: COMM AT THE INTERS OF THE W LN OF E RAILROAD ST IN TOWNSITE OF HICKSON & THE S LN OF NE1/4 OF SEC 24 BEING THE PT OF BEG; THN N ON & ALG THE W LN OF SD E RAILROAD ST

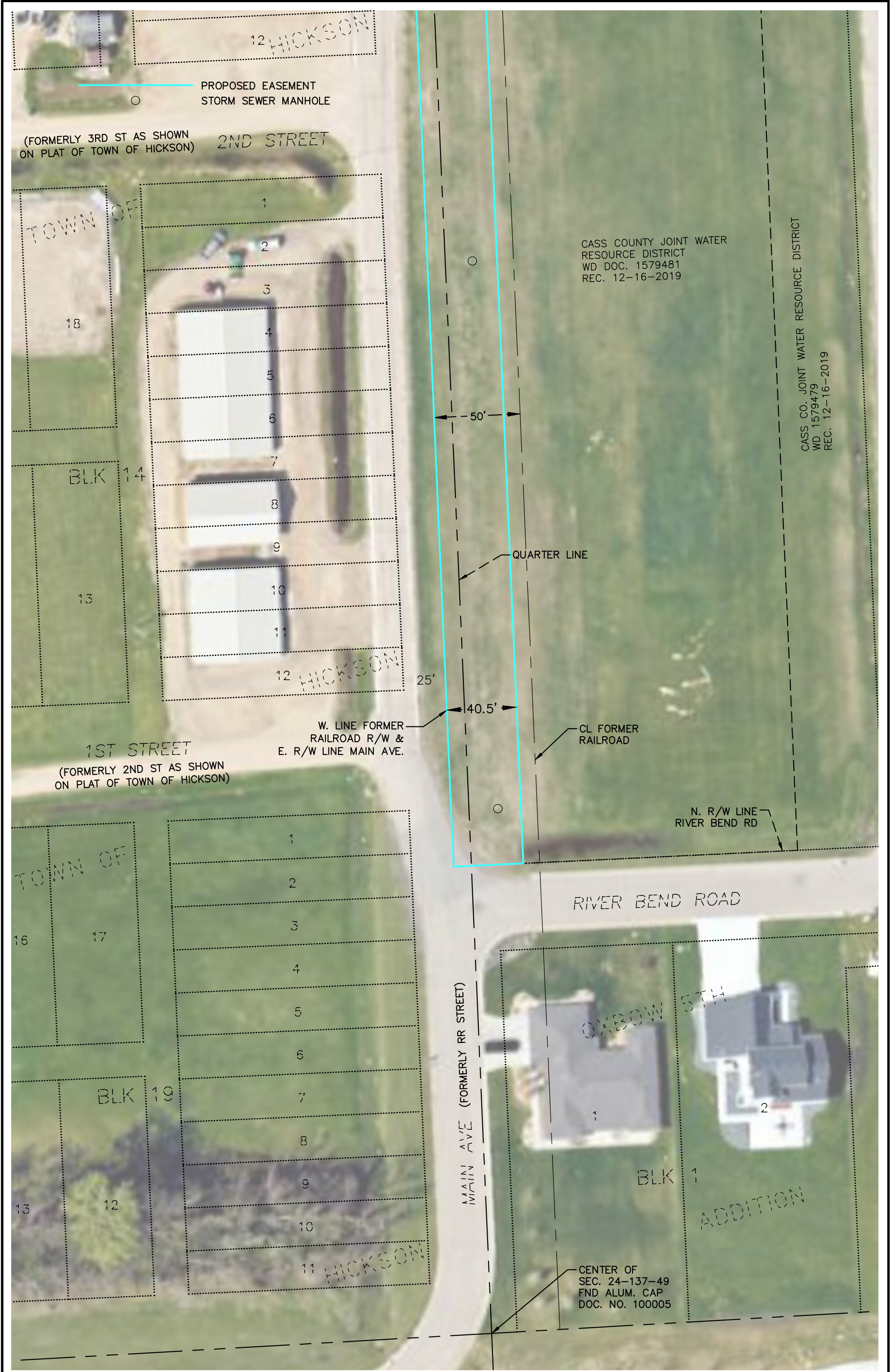
OIN 9579

24-137-49 3.15 AC ALL THAT PT OF CHIC/MILW/ST PAUL & PAC RR CO'S 100' WIDE R/W SD R/W BEING 50' WIDE ON EITHER SIDE OF GRANTOR'S MAIN TRK CNTRLN AS FMLY LD IN ON OVER & ACROS THAT PT OF N 1/2 OF SEC 24 LYING SLY OF SLY LN OF US HWY #81 AS

Exhibit C: Exhibit of Storm Sewer Easement







PROPOSED EASEMENT
STORM SEWER MANHOLE

(FORMERLY 3RD ST AS SHOWN
ON PLAT OF TOWN OF HICKSON)

2ND STREET

TOWN OF

CASS COUNTY JOINT WATER
RESOURCE DISTRICT
WD DOC. 1579481
REC. 12-16-2019

CASS CO. JOINT WATER RESOURCE DISTRICT
WD 1579479
REC. 12-16-2019

QUARTER LINE

W. LINE FORMER
RAILROAD R/W &
E. R/W LINE MAIN AVE.

CL FORMER
RAILROAD

N. R/W LINE
RIVER BEND RD

1ST STREET
(FORMERLY 2ND ST AS SHOWN
ON PLAT OF TOWN OF HICKSON)

RIVER BEND ROAD

MAIN AVE (FORMERLY RR STREET)

OXBOW 5TH

BLK 1

ADDITION

CENTER OF
SEC. 24-137-49
FND ALUM. CAP
DOC. NO. 100005

Exhibit D: Declaration of Excess Land Form

I hereby declare that OINs 9576, 9577, 9578, and 9579 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

12/03/2025

Date