



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: May 18, 2026

RE: Excess Lands Recommendation – OIN 1890, 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 1890 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1890

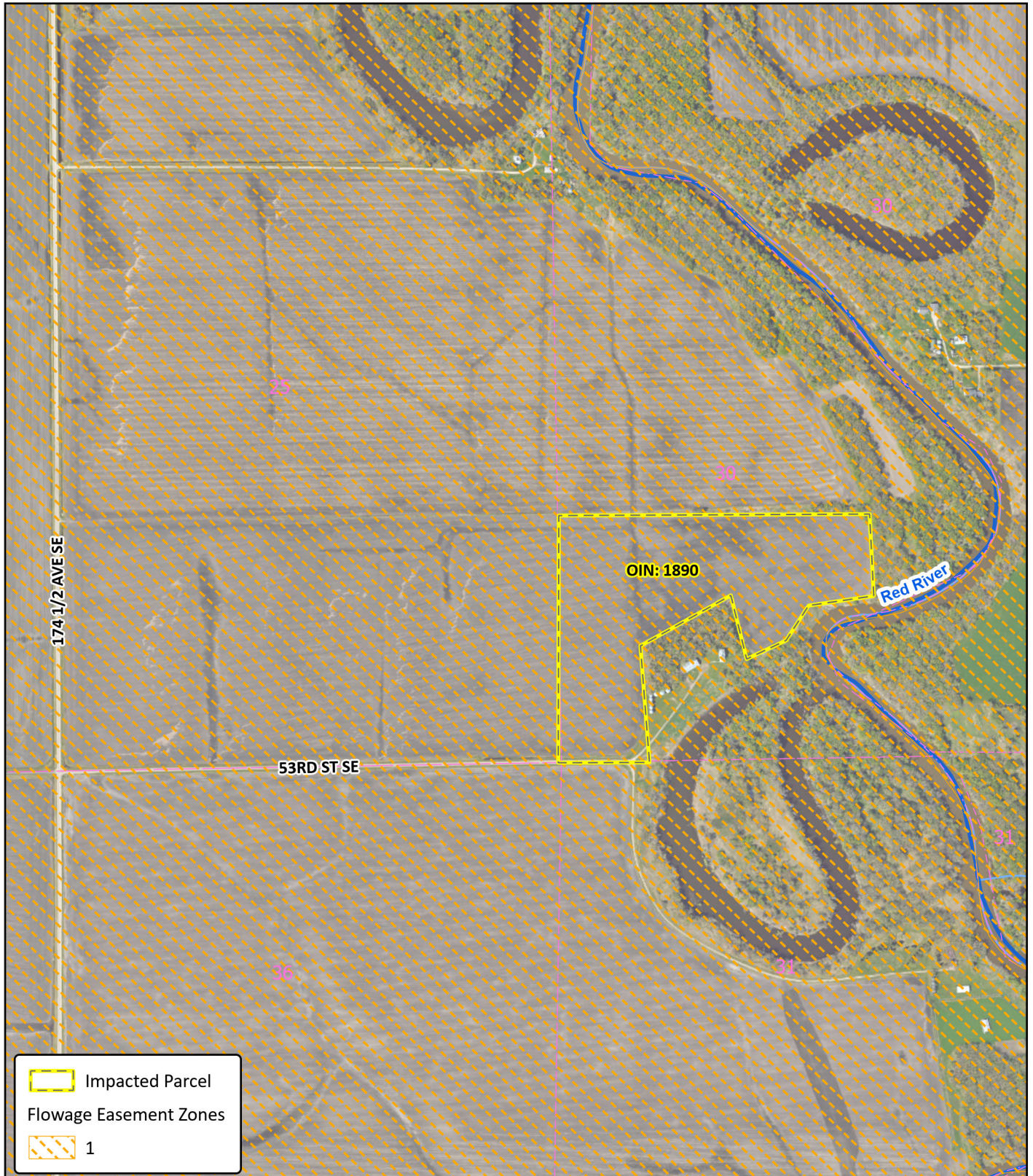
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	29.08 acres



Narrative Description of Parcel(s)	OIN 1890 is located in North Dakota along 53 rd Street SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	May 17, 2021
Purchase Price	\$190,200
Proposed Sale Price	\$199,000 *Based on \$6,900/acre for flowage easement encumbered tillable acreage in Cass County.
Former Owner	Jacob Sip
Adjacent Owners	OIN 1891 – Rodney & Cherie Mathison OIN 7213 – Caden Coleman OIN 1898 – Ryan & Heather Hanson OINs 1897 & 2048 – Randy Backlund OIN 1995 – Terry & Kay Compson RT OINs 1895 & 1991 – Susan Evert
Property Management Approach	This property has been maintained through a farmland lease with Pifer’s Land Management since 2022.
Property Taxes	For 2025 this property had roughly \$457 in property taxes.
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. Any future sale will need to reserve a flowage easement.
Right of First Refusal	The prior landowner has secured a ROFO that is set to expire on May 17, 2026.

3. Conclusion and Recommendation

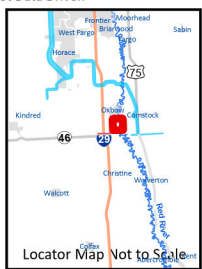
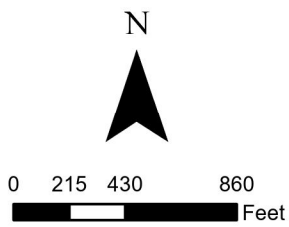
Based on the pertinent facts presented above, it is recommended to declare OIN 1890 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



 Impacted Parcel
 Flowage Easement Zones
 1

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



OIN: 1890
Owner: Cass County Joint Water Resource District
Parcel ID: 57-0000-10217-060

Cass County, ND
 FM AREA DIVERSION
 Date: 4/30/2026



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

That part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 480.65 feet to a found iron monument at the southwest corner of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract for a distance of 619.78 feet to a found iron monument on the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East along said northerly line for a distance of 546.41 feet to a found iron monument; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet to a found iron monument; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet to an iron monument; thence North 33 degrees 12 minutes 36 seconds East for a distance of 219.36 feet to an iron monument; thence North 81 degrees 59 minutes 58 seconds East for a distance of 347.09 feet to an iron monument; thence North 02 degrees 25 minutes 29 seconds West for a distance of 434.29 feet to an iron monument on the north line of said Government Lot 4; thence North 89 degrees 46 minutes 32 seconds West along said north line for a distance of 1637.44 feet to a found iron monument at the northwest corner of said Government Lot 4; thence South 00 degrees 36 minutes 35 seconds West along the west line of said Government Lot 4 for a distance of 1310.51 feet to the point of beginning. Said tract contains 29.08 acres, more or less.

SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 40.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet to the point of beginning; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County and said line there terminates. The northwesterly sideline of said 40.00 foot wide easement shall be prolonged or shortened to terminate on the south line of said Section 30 and on the westerly line of said tract.

AND FURTHER SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 10.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County, the point of beginning; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract of land described in Document No. 1436183 for a distance of 545.15 feet to the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East for a distance of 546.41 feet; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet and said line there terminates. The westerly and northerly sideline of said 10.00 foot wide strip shall be prolonged or shortened to terminate on a line bearing South 42 degrees 04 minutes 05 seconds West from the point of beginning and on a line bearing North 33 degrees 12 minutes 36 seconds East from the point of termination. AND FURTHER SUBJECT TO all easements, restrictions, reservations and rights of way of record, if any.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1890 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

May 20, 2026
Date