



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 13, 2026

RE: Excess Lands Recommendation – OINs 9403, 9404, and 9411, subject to a 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 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 9403, 9404, and 9411 as Excess Land and begin the process to dispose of these properties following the Policy. Note that these parcels are in the Upstream Mitigation Area (UMA) and therefore the Authority (via the Cass County Joint Water Resource District (CCJWRD)) shall reserve a flowage easement on these parcels as part of the sale.

2. Pertinent Facts Regarding OINs 9403, 9404, and 9411

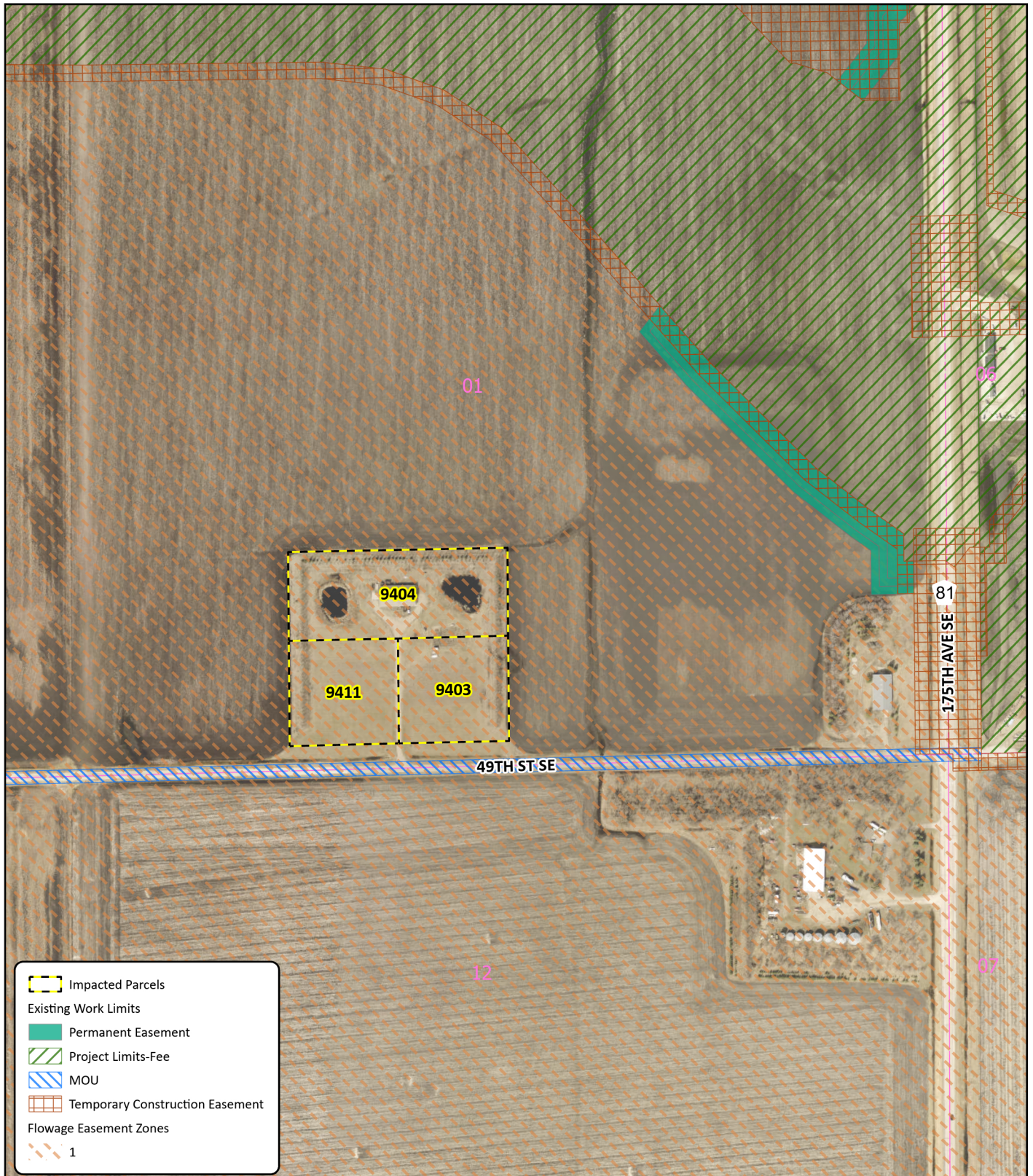
Description of Parcel(s)	See Exhibit A for a map showing the parcels recommended as excess land.
Legal Description	See Exhibit B for legal descriptions for the parcels recommended as excess land.
Asset Parcel(s) Size	OIN 9403: 2.45 acres OIN 9404: 4.11 acres OIN 9411: 2.44 acres TOTAL = 9.00 acres

Narrative Description of Parcel(s)	OINs 9403, 9404, and 9411 are located just south of the Southern Embankment Reach 3 (SE-3) and west of the Red River Control Structure along 49 th St SE in Cass County, North Dakota.
Purchase Date	OIN 9403: February 1, 2017 OIN 9404: August 22, 2024 OIN 9411: February 20, 2017
Purchase Price	OIN 9403: \$883,400 OIN 9404: \$615,000 OIN 9411: \$828,380 Note: When acquired, the properties had improvements including homes and outbuildings.
Proposed Sale Price	\$40,000 Based on \$4,500 per acre
Former Owner	OIN 9403: David & Shannon Campbell OIN 9404: JRD Campbell Family Investment LLP OIN 9411: Rodger & Melissa Campbell
Adjacent Owners	Terry & Kay Compson (OIN 9412 & 9363) Vincent Ulstad RLT (OIN 8919X) Larry Brandt RLT Residuary Trust (OIN 846)
Property Management Approach	The Project has spent roughly \$31,000 in maintenance fees over the years that the property has been under Project ownership.
Property Taxes	There were no property taxes in 2025.
Relation to Construction	The Comprehensive Project does not have any construction impacts on these parcels. OINs 9403, 9404, and 9411 are fully encumbered by a Flowage Easement and the prior owners did not wish to retain the underlying land. All structures have been removed, and the sites have been restored. The Project wishes to sell these parcels as one with a Flowage Easement retained.
Right of First Refusal	OIN 9403: No OIN 9404: No OIN 9411: No

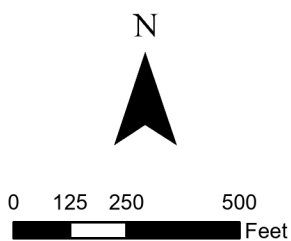
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 9403, 9404, and 9411 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



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: hrecords, 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: 9403, 9304, 9411
Parcel IDs: 57-0340-00010-000,
57-0340-00040-000,
57-0340-00020-000

Cass County, ND

FM AREA DIVERSION

Date: 12/4/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

Since these parcels are fully encumbered by a Flowage Easement a legal description was not created for the acquisition of the properties. The following legal descriptions are from the online Cass County interactive WebMap application.

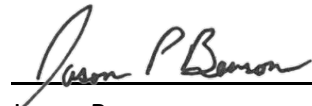
OIN 9403: CAMPBELL ESTATES SUB LT 1 BLK 1

OIN 9404: CAMPBELL ESTATES SUB LT 4 BLK 1

OIN 9411: CAMPBELL ESTATES SUB LT 2 BLK 1

Exhibit C: Declaration of Excess Land Form

I hereby declare that OINs 9403, 9404, and 9411 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.

A handwritten signature in black ink, appearing to read "Jason P. Benson", is written over a horizontal line.

Jason Benson
Executive Director

July 14, 2026

Date