

PLANNING COMMISSION MINUTES
WATFORD CITY, ND
June 24, 2013

The regular monthly meeting of the Watford City Planning Commission was held on June 24, 2013 at 6:00 p.m. at the Civic Center. In attendance: Chairman Glen Beard, Board members: Shane Homiston, Jesse Lawrence, Sonja Johnson, and Rick Holm. Also present City Planner Curt Moen, City Attorney Wyatt Voll, Mildred Williams, Steve Williams, Seth Sampson, and Melissa Sandry. Excused absence: Doug Bolken, Cory Johnson.

Public Hearing called to order at 6:00 pm:

Public hearing to hear comment on a Subdivision Preliminary Map submitted by Circle H Engineering and Surveying Inc./ Shannon Marinko, for property located in the East ½ of Section 23, Township 150 North, Range 99 West, 41.85 acres, McKenzie County, ND.

Public hearing to hear comment on a Subdivision Preliminary Map submitted by Hunter's Run, for property located in a portion of the East ½, Section 16, Township 150 North, Range 98 West, 149.14 acres, McKenzie County, ND.

Public hearing to hear comment on Zone Change Application submitted by Hunter's Run, for property located in the SW ¼ of Section 16, Township 150 North, Range 98 West, 3.0 acres, McKenzie County, ND. The application will re-zone AG property to C2.

Public hearing to hear comment on Conditional Use Permit Application submitted by AWS3, LLC, for property located in Lots 1 & 4, NW ¼, Section 22, Township 150 North, Range 98 West, also NW ¼ SW ¼, Except Irregular Tract 2477, for a 12" water transmission line to furnish water to "The Crossings at Watford City" Subdivision and water to support the oil industry, on C1 property, approx. 2.1 acres, McKenzie County, ND.

Public hearing to hear comment on a Variance Application submitted by Orvis Hagen, for property located at 316 2nd Ave NW, Section 24, Township 150 North, Range 98 West, town lot 12, McKenzie County, ND. The application requests to allow a roof to be put on an existing attached deck on R1 zoned property.

Public hearing to hear comment on Zone Change Application submitted by Country Cross Ranch LLC/ Mike McPherson, for property located in Lot 1 of Block 2 NE ¼ & SE ¼ NW ¼, Section 25, Township 150 North, Range 99 West, 2.09 acres, McKenzie County, ND. The application will re-zone A1 property to C1.

Public hearing to hear comment on Zone Change Application submitted by Bakken Development/ Jarvis & Kadie Sorenson, for property located in a portion of the NW ¼ Section 22, Township 150 North, Range 98 West, 36.43 acres, McKenzie County, ND. The application will re-zone C1 property to R4.

Public hearing to hear comment on Simple Lot Split submitted by Bakken Land Holdings LLC/ Bakken Development Solutions, to create R4 property for the purpose of sale and development by a 3rd party on property located on a portion of the NW ¼ Section 22, Township 150 North, Range 98 West, 51.13 acres, McKenzie County, ND.

Public hearing to hear comment on a Boundary Line Adjustment Map submitted by Bakken Land Holdings, LLC/ Bakken Development Solutions, to create R4 property for the purpose of sale and development by a 3rd

party on property located in the NW ¼ Section 22, Township 150 North, Range 98 West, 6.61 acres, McKenzie County, ND.

After discussion, Chairman Glen Beard closed the Public Hearing at 6:11 pm.

The Minutes for meeting held on May 28, 2013 were reviewed, S. Homiston moved to approve minutes as presented, seconded by R. Holm. All ayes; motion carried.

UNFINISHED BUSINESS:

1. **Preliminary Subdivision Map- Circle H Engineering & Surveying Inc.** - Moved by S. Homiston to recommend approval to City Council for a Preliminary Subdivision Map submitted by Circle H Engineering & Surveying Inc./ Shannon Marinko, for land located in the East ½ of Section 23, Township 150 North, Range 99 West, 41.85 acres, McKenzie County, ND. Committee required that 14th street is to be bonded and to City standards if developed. Seconded by S. Johnson and carried by the following roll call vote: ayes; S. Johnson, R. Holm, S. Homiston, J. Lawrence. Nays; None. Motion carried.
2. **Preliminary Subdivision Map- Hunter's Run** – Moved by S. Homiston to recommend approval to City Council for a Preliminary Subdivision Map submitted by Hunter's Run, for property in a portion of the East ½, Section 16, Township 150 North, Range 98 West, 149.14 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: ayes; S. Johnson, R. Holm, S. Homiston, and J. Lawrence. Nays: None. Motion carried.
3. **Zone Change – Hunter's Run** – Moved by J. Lawrence to recommend approval to City Council for a Zone Change Application submitted by Hunter's Run, for property located in the SW ¼ of Section 16, Township 150 North, Range 98 West, 3.0 acres, McKenzie County, ND. The application will rezone AG property to C2. Seconded by R. Holm and carried by the following roll call vote: J. Lawrence, S. Johnson, R. Holm, and S. Homiston. Nays: none. Motion carried.
4. **Conditional Use Permit – AWS3, LLC-** Moved by R. Holm to recommend approval to City Council for a Conditional Use Permit submitted by AWS3, LLC for land located in Lots 1 & 4, NW ¼, Section 22, Township 150 North, Range 98 West, also NW ¼ SW ¼, Except Irregular Tract 2477, approx. 2.1 acres, McKenzie County, ND. The application will allow for a 12'' water transmission line to furnish water to "The Crossings at Watford City" Subdivision and water to support the oil industry, on C1 property. Seconded by S. Johnson and carried by the following roll call vote: J. Lawrence, R. Holm, S. Johnson and S. Homiston. Nays; None. Motion Carried.
5. **Variance – Orvis Hagen** - Moved by S. Homiston to recommend approval to City Council for a Variance Application submitted by Orvis Hagen. The application will allow for a roof to be added on to an existing attached deck property located at 316 2nd Ave NW, Section 24, Township 150 North, Range 98 West, town lot 11, Block 1, McKenzie County, ND. The deck shall not become enclosed, however, a screen shall be permitted. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, S. Homiston and J. Lawrence. Nays; None. Motion Carried.

6. **Zone Change- Country Cross Ranch, LLC** – Moved by R. Holm to recommend approval to City Council for a Zone Change Application submitted by Country Cross Ranch, LLC/ Mike McPherson. The application will rezone A1 property to C1, located in Lot 1 of Block 2 NE ¼ & SE ¼ NW ¼ of Section 25, Township 150 North, Range 99 West, 2.09 acres, McKenzie County, ND. Annexation Application has been submitted. Seconded by J. Lawrence, and carried by the following roll call vote: R. Holm, S. Johnson, S. Homiston and J. Lawrence. Nays: None. Motion Carried.
7. **Zone Change – Bakken Development-** Moved by S. Homiston to recommend approval to City Council Zoning Change Application submitted by Bakken Development/ Jarvis & Kadie Sorenson. The application will re-zone C1 property to R4, located in a portion of the NW ¼ Section 22, Township 150 North, Range 98 West, 36.43 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, S. Homiston and J. Lawrence. Nays; None. Motion Carried.
8. **Simple Lot Split- Bakken Development-** Moved by S. Homiston to recommend approval to City Council Simple Lot Split submitted by Bakken Land Holdings LLC/ Bakken Development Solutions, to create R4 property for the purpose of sale and development two parcels from one property located in the NW ¼ of Section 22, Township 150 North, Range 98 West, 51.13 acres, McKenzie County, ND. Seconded by J. Lawrence and carried by the following roll call vote: ayes; S. Johnson, R. Holm, S. Homiston, J. Lawrence. Nays; None. Motion carried.
9. **Boundary Line Adjustment Map- Bakken Development-** Moved by J. Lawrence to recommend approval to City Council Simple Lot Split submitted by Bakken Development to LLC/ Bakken Development Solutions, to create R4 property for the purpose of sale and development by a 3rd party on property located in the NW ¼ Section 22, Township 150 North, Range 98 West, 6.61 acres, McKenzie County, ND. Seconded by S. Johnson and carried by the following roll call vote: ayes; S. Johnson, R. Holm, S. Homiston, J. Lawrence. Nays; None. Motion carried.
10. **Subdivision Final Plat- Bakken Development-** Moved by R. Holm to recommend approval to City Council Final Plat Blue Bison Development submitted by Robin Greenhagen, Blue Bison Development First Addition, 94 lots, 23.13 acres, located in the South ½ of the NW ¼ of Section 7, Township 150 North, Range 98 West, McKenzie County, ND. Seconded by J. Lawrence and carried by the following roll call vote: S. Johnson, R. Holm, S. Homiston, and J. Lawrence. Nays: None. Motion Carried with Contingency of approved Development Agreement, Subdivision Improvement, Warranty & Maintenance Agreement, and secured bonding submitted to City of Watford City prior to recording of Final Plat.
11. **Variance- The Highlands at Watford City-** Moved by S. Homiston to recommend approval to City Council for a Variance Application submitted by Adam Berger. The application will allow setbacks on property located in Irregular Tract No. 2204 in the SE ¼ of Section 13, Township 150 North, Range 99 West, 42.66 acres, McKenzie County, ND. Seconded by R. Holm and carried by the following roll call vote: S. Johnson, R. Holm, S. Homiston and J. Lawrence. Nays; None. Motion Carried.

NEW BUSINESS

BUILDING PERMITS:

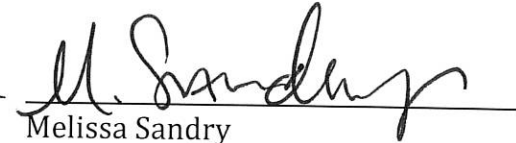
Building Permits reviewed and approved.

ADJOURNMENT:

R. Holm moved to adjourn, J. Lawrence seconded motion. All ayes, Motion carried. No further business, the meeting adjourned at 6.36 pm.



Glen Beard
Chairman



Melissa Sandry
Planning Assistant

CITY OF WATFORD CITY

P.O. BOX 494

WATFORD CITY, NORTH DAKOTA 58854

AGENDA

Monday June 24, 2013

PLANNING COMMISSION

Civic Center @ 6:00 P.M.

Call to Order Public Hearing

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Public hearing to hear comment on a Subdivision Preliminary Map submitted by Hunter's Run, for property located in a portion of the East ½, Section 16, Township 150 North, Range 98 West, 149.14 acres, McKenzie County, ND.

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Public hearing to hear comment on Conditional Use Permit Application submitted by AWS3, LLC, for property located in Lots 4, NW ¼, Section 22, Township 150 North, Range 98 West, also NW ¼ SW ¼, Except Irregular Tract 2477, for a 12" water transmission line to furnish water to "The Crossings at Watford City" Subdivision and water to support the oil industry, on C1 property, approx. 2.1 miles, McKenzie County, ND.

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Public hearing to hear comment on a Boundary Line Adjustment Map submitted by Bakken Land Holdings, LLC/ Bakken Development Solutions, to create R4 property for the purpose of sale and development by a 3rd party on property located in the NW ¼ Section 22, Township 150 North, Range 98 West, 6.61 acres, McKenzie County, ND.

Subdivision Final Plat submitted by Blue Bison Run/ Robin Greenhagen.

Call to Order Regular Meeting

Minutes of May 29, 2013 Meeting

inished Business:

1. Preliminary Subdivision Map- Circle H Engineering & Surveying Inc.
2. Preliminary Subdivision Map- Hunter's Run
3. Zone Change- Hunters Run
4. Conditional Use Permit- AWS3, LLC
5. Variance- Orvis Hagen
6. Zone Change- Country Cross Ranch LLC/ Mike McPherson
7. Zone Change- Bakken Development/ Jarvis & Kadie Sorenson
8. Simple Lot Split- Bakken Development, 51.13 acres
9. Boundary Line Adjustment Map- Bakken Development, 6.61 acres
10. Subdivision Final Plat- Blue Bison Development/ Robin Greenhagen

New Business:

Review Building Permit

2562	May	Mark Hellenen	500 2nd St NE		Flooring Windows Cabonets	\$45,000.00	5/21/13	\$590.00	#6355
2563	May	Matt Beard	204 6th St NE		Fence	\$0.00	5/24/13	\$25.00	Cash
2564	May	Jason Kanniegator	1001 4th St SW Lot B		Moving a 16x80 trailer	\$0.00	5/24/13	\$25.00	Cash
2565	May	Jason Kanniegator	1001 4th St SW Lot C		Moving a 16x80 trailer	\$0.00	5/24/13	\$25.00	Cash
2566	May	Jason & Barb Walter	473 Main St N		New Roof	\$7,500.00	5/28/13	\$149.00	#1079
2567	May	Deutsch LLC/ Taylor Ag Fertilizer E	HWY 23 Bypass		Fertilizer Plant Office	1.8 million	5/28/13	\$7,900.00	#1110
2568	May	TC North Dakota Ventures LLC	1600 W Pheasant Ridge St Lot 4		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2569	May	TC North Dakota Ventures LLC	1540 W Pheasant Ridge St Lot 6		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309

Building Permits 2013

No.	Month	Applicant	Address	Parcel #	Description	Value	Date	Fee	PD
2570	May	TC North Dakota Ventures LLC	1416 W Pheasant Ridge St Lot 12		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2571	May	TC North Dakota Ventures LLC	1316 W Pheasant Ridge St Lot 26		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2572	May	TC North Dakota Ventures LLC	1313 Pheasant Ridge St Lot 51		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2573	May	TC North Dakota Ventures LLC	1317 E Pheasant Ridge St Lot 49		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2574	May	TC North Dakota Ventures LLC	1321 E Pheasant Ridge St Lot 47		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2575	May	TC North Dakota Ventures LLC	1325 E Pheasant Ridge Lot 45		1472 sqft Home w/ Basement		5/28/13	\$1,518.00	#1309
2576	May	Ed & Lisa Madarassy	112 6th Ave NW		New 8x8 Deck	\$4,000.00	5/28/13	\$93.00	#4701
2577	May	WCAG	2117 S Main St		Demo	\$0.00	5/31/13	\$0.00	0
2578	June	New Orleans Sand	1316 11th Ave SE	20-00-1443	New Building	\$275,000.00	6/3/13	\$1,953.00	#1113
2579	June	Tammy Maertens	324 4th St NE		Demo of Sun Room	\$0.00	6/3/13	\$0.00	0
2580	June	Marlene Fowler	1013 5th Ave SE		New Deck	\$200.00	6/3/13	\$25.00	#1960
2581	June	Geo Rieice	6th/4th NE Steverman Addition		5 moving permits/ storage container re-roof		6/3/13	\$229.00	
2582	June	McKenzie Electric CO	908 4th Ave NE		Moving a Building		6/3/13	\$25.00	Cash
2583	June	RAC Construction	100 5th Ave NE		Building a Deck	\$3,500.00	6/3/13	\$93.00	#3077
2584	June	Cheryl Renville	101 5th St NE		Building a 10x16 Shed	\$3,250.00	6/5/13	\$93.00	#2372
2585	June	Jenny Monson	225 N Main St		Remolding inside of salon	\$2,000.00	6/6/13	\$317.00	#4113
2586	June	Derek Oja (Roosevelt Inn)	600 2nd Ave SW		Remolding Lobby	\$50,000.00	6/10/13	\$640.00	#10158

Journalment

Melissa Sandry
Secretary/Planning Assistant

*****If you are not able to attend a Planning Commission meeting, please notify Melissa prior to the meeting*****

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: 5/29/13	APPLICATION NUMBER: 20-22-203
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: MS	MEETING DATES: P&Z: 6/24 CC: 7/1
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: \$200.00	ADVERTISE DATE: 4/12 to 6/19
<input type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: CHK# 768990	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: S16/T150N/R98W	
<input type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Mark and Beverly Maki

APPLICANT: Hunter's Run, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

ME: Joseph R. Kachuroi

ADDRESS: P.O. Box 2802

CITY: Watford City STATE: ND ZIP CODE: 58854

TELEPHONE: 701-770-5893 EMAIL: joerkay@gmail.com

ASSESSOR'S PARCEL NUMBER(S): 20-00-10900

LEGAL DESCRIPTION: see attached

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 3408 4th Ave NE, Watford City

GROSS/NET ACREAGE: 3.0 acres PRESENT ZONE CLASSIFICATION: Agricultural

DESIRED ZONE CLASSIFICATION: C2 CURRENT LAST USE: Personal Residence

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS
(USE ADDITIONAL PAGES IF NEEDED)

Applicant is owner and developer of approximately 294.10 acres of land in E½ of Section 16, T150N, R98W.

Applicant recently signed agreement for purchase of land along Highway 23 East in E½ of Section 16. Property in Hunter's Run Subdivision east and west of subject property is presently zoned C2. Applicant desires to zone subject property C2 for orderly development of subdivision.

DESCRIBE THE SOURCE OF WATER/SEWER: Watford City Do you have a will serve letter YES NO

Land Use Applications Cannot be Accepted over the Front Counter
Please Call (701) 444-2533 to schedule an appointment

We, the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.



Property Owner Signature

, Manager

Hunter's Run, LLC
 Print of Type Owner Name

NOTARY

State of North Dakota

County of McKenzie

This instrument was acknowledged before me on May 29, 2013 by Touraj Vedadi
 Date Name of Person

MORGAN KERBER
 Notary Public
 State of North Dakota
 My Commission Expires Nov. 6, 2018


 Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Use Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
 *Plus all sign costs

Procedures for Filing Land Use Applications:

- After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department
 213 2nd St NE
 Watford City, ND 58854
 Phone: (701)444-2533 Fax: (701)444-3004 Website: www.4eyes.net

LEGAL DESCRIPTION

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Sixteen (16), Township One Hundred Fifty (150) North of Range Ninety-Eight (98) West of the Fifth Principal Meridian. Beginning at a point 1357.0 feet due west, on section line, and 63.0 feet due north of the southeast corner of Section 16, Township 150 North, Range 98 West and described as follows: Thence due north, a distance of 416.2 feet; thence north 88° 47' west, a distance of 314.0 feet; thence due south, a distance of 416.2; thence south 88° 47' east, a distance of 314.2 feet to the point of beginning.

OFFER TO PURCHASE

BUYER: Net Money, LLC; Joseph Kachuroi DATE: May 8, 2013
SELLER: Mark W. Maki and Beverly J. Maki

The undersigned hereby offers to purchase approximately 3 acres generally located NE of the NEC of Rt 1806 and Hwy 23, Watford City, ND (Legal Description will be provided by Buyers Engineer)

It is understood between the Buyer and Seller or his agent that the property has been inspected and the Buyer accepts this property "as is", "where is", except for the following: Seller is able to remove, Trees, Garages, Sheds, Personal Belongings; all in a Timely Manner

CONSIDERATION PRICE:

- Purchase Price - \$650,000
- Open Escrow - \$50,000 becomes non-refundable and released to seller, on Friday; May 10, 2013; which is applied to the purchase price, balance of the Purchase Price is \$600,000
- Close of Escrow - 90 days after the opening of escrow
- Extension - seller will grant buyer One 90 days extension at a price of \$50,000, which will be released to seller. Extension is Not Part of the Purchase Price; the Purchase Price will increase by \$50,000 only if Buyer exercises the Extension
- After the opening of escrow, if Buyer elects and gives Seller an additional \$50,000-which is applied to purchase price, and released to Seller (Total Paid to Seller \$100,000, bal of \$550,000); seller will grant/allow buyer to starting cutting down the trees.
- After the opening of escrow, if Buyer elects and gives Seller an additional \$100,000-which is applied to purchase price, which is released to Seller (Total Paid to Seller \$200,000, bal of \$450,000), seller will grant/allow Buyer to start grading the site
- After the opening of escrow, if Buyer elects and gives Seller an additional \$100,000-which is applied to the purchase price, which is released to Seller (Total Paid to Seller \$300,000, bal of \$350,000), seller will grant/allow Buyer to start developing parcel, getting ready for water & sewer undergrounds.
- The Front Approach to the Maki Home will Not Be Disturbed, Moved or Altered until Buyer Closes Property
- Seller will allow Buyer to submit for Rezoning of the Subject Parcel, and seller may have to sign a certified letter for Watford City stating that fact
- Seller will remove Trees starting on Sunday, May 12, 2013 and ending on Tuesday, May 14, 2013
- Seller will remove the Two garages in a timely manner
- Seller will vacate the home in a timely manner
- Buyer retains the right to enter into escrow with Third Party (end-user) while in escrow with Seller (Maki) and if opportunity presents itself, retains the right to close escrow with Seller and End User at the same time, simultaneous close of escrow.
- A Two Percent (2%) Commission of the Purchase Price will be paid as a Real Estate Commission to Kathy Camamo of Amazing AZ Homes, LLC

It is understood that a Good and Marketable Title, Free and Clear of ALL Encumbrances will be furnished for the Buyer and the deal to be closed within time frame stated. At the closing, owner will deliver a Warranty Deed to Buyer, together with an Abstract of Title.

Joseph R. Kachuroi is an active Arizona Real Estate Broker.

REAL ESTATE TAXES: Prorated At Closing
SPECIAL ASSESSMENTS: To Be Paid By Seller, If Any
RENTS: Prorated At Closing, If any
INSURANCE: N/A

POSSESSION TO BE GIVEN: At Closing - Free and Clear Title to Buyer, with Abstract of Title

CLOSING FOR TITLE AND FINANCIAL DOCUMENTS SHALL BE ON OR BEFORE CLOSE OF ESCROW, see above for details

SETTLEMENT FEE TO BE PAID BY: both Buyer and Seller

We hereby deposit with Check for Opening of Escrow in the Amount of \$50,000, which becomes Non Refundable to Seller on Friday, May 10, 2013 at 12:00 Noon.

Close of Escrow will be either a Wire or Certified Funds

All earnest money shall be applied to the purchase price. Subject to Buyer's rights to terminate the Contract and receive a complete refund of the earnest money no later than, Friday May 10, 2013 of Opening of Escrow, however on May 10, 2013 at 12:00 Noon, Seller will retain the said earnest money as liquidated damages.

BROKER: N/A

BUYER: Net Money, LLC Joseph R Kachuroi
BY: *Joseph R Kachuroi* *May 8, 2013*
ADDRESS: PO Box 2802 Watford City, ND 58854
PHONE: 602-999-2349

ACCEPTANCE

The foregoing offer is hereby accepted by Seller on this 8th day of May, 2013.

SELLER: Mark W. Maki
Beverly J. Maki

Mark W. Maki
Beverly J. Maki

BY:
NAME: Mark W. Maki and Beverly J. Maki, property is held in Joint Tenants, Watford City, ND 58854
TITLE: Owner
SS # / FED. ID #:

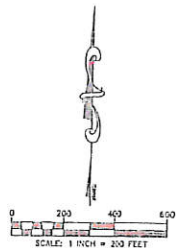
HUNTER'S RUN LAND USE MAP

LEGEND

- COMMERCIAL (C-1)
- COMMERCIAL 2 (C-2)
- INDUSTRIAL (I)
- PARK - OPEN SPACE
- RESIDENTIAL 1 (R-1)
MIN LOT SIZE 65' X 111' (7215 SF)
- RESIDENTIAL 2 (R-2)
MIN LOT SIZE 80' X 100' (8000 SF)
- RESIDENTIAL 3 (R-3)
- RESIDENTIAL 4 (R-4)

SUMMARY TABLE

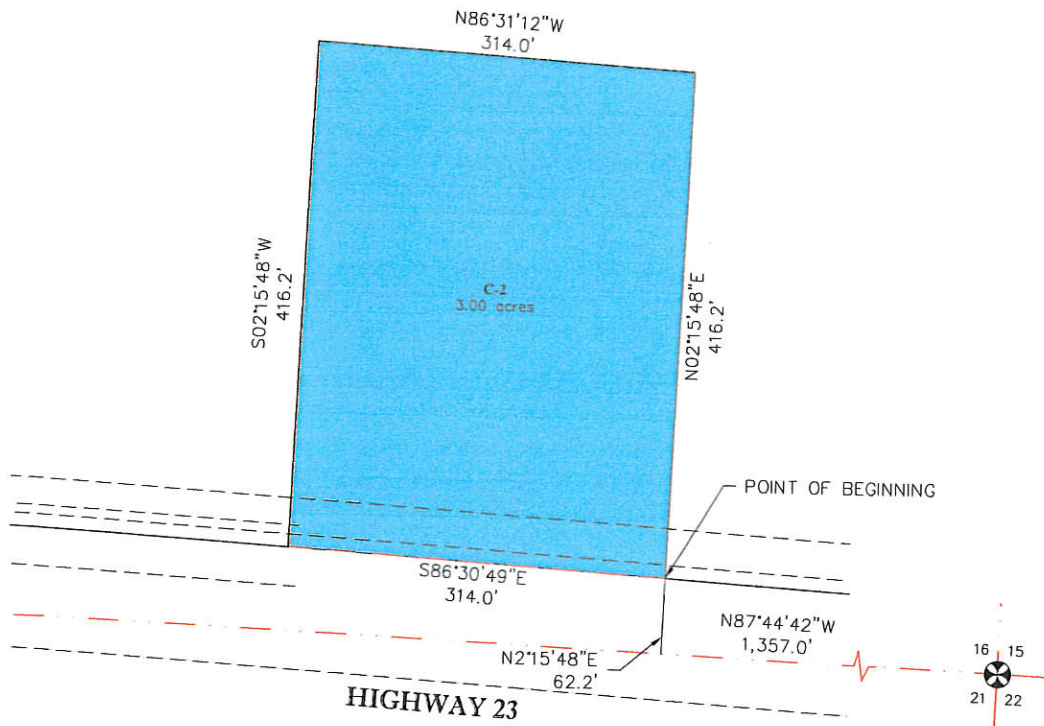
LAND USE	ACRES	LOTS UNITS	DENSITY (CU/AC)
COMMERCIAL (C-1)	18.55	1	
COMMERCIAL (C-2)	37.39	7	
COMMERCIAL (I)	23.01	9	
RESIDENTIAL 1 (R-1)	54.63	319	
RESIDENTIAL 2 (R-2)	18.33	78	
RESIDENTIAL 3 (R-3)	19.24		
RESIDENTIAL 4 (R-4)	41.48		
FUTURE R-2	18.48		
OPEN SPACE	17.77		
ROADS	45.27		
TOTAL	252.12		



1/2" = 1' A 1" = 2' B	BY ORDER OF THE BOARD OF CITY PLANNING AND ZONING COMMISSIONERS AND SUPERVISORS	Civil Engineers of Geotechnical Engineering Land Surveying		PROJECT NO. 18-001 SHEET NO. 1 DATE: 10/2018
--------------------------	---	--	--	--

C:\Users\jshelton\Documents\Projects\18-001\Map\Map\18-001_LandUseMap.dwg

ZONING EXHIBIT
 LOCATED IN THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 16,
 TOWNSHIP 150 NORTH, RANGE 98 WEST, 5th PRINCIPAL MERIDIAN,
 MCKENZIE COUNTY, NORTH DAKOTA



LEGAL DESCRIPTION C-2

A tract of land, located in the Southwest One-Quarter of the Southeast One-Quarter of Section 16, Township 150 North, Range 98 West, 5th Principal Meridian, McKenzie County, North Dakota, and being more particularly described as follows:

Beginning at a point which bears North 87°44'42" West, on and along the South line of Section 16 a distance of 1,357.0 feet;
 thence North 2°15'48" East, a distance of 62.2 feet to a point on the North right-of-way of U.S. Highway 23 and true point of beginning;
 thence North 2°15'48" East, a distance of 416.2 feet;
 thence North 86°31'12" West, a distance of 314.0 feet;
 thence South 2°15'48" West, a distance of 416.2 feet;
 thence South 86°30'49" East, a distance of 314.0 feet, to the point of beginning.

Said tract of land being 3.00 acres, along with and subject to any existing easements.

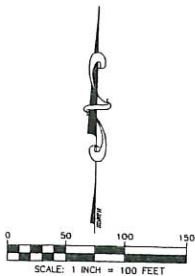
BASIS OF BEARING, COORDINATES:

BEARINGS SHOWN ARE NORTH DAKOTA STATE PLANE GRID.
 DISTANCES ARE GROUND DISTANCES IN U.S. SURVEY FEET.

NORTH DAKOTA (NORTH ZONE 3301); COORDINATE SYSTEM NAD 83
 HORIZONTAL DATUM: REFERENCED FROM NGS OPUS SOLUTION; ADJUSTED FROM NGS CORS
 PID DESIGNATION
 DI2263 POSS GLENDIVEWMT2006 CORS ARP
 DI1073 NDMB MINOT AFB BASE CORS ARP
 DK4185 MDR6 MEDORA 6 CORS ARP

NORTH DAKOTA STATE PLANE NAD 83 (2011)(EPOCH: 2010.0000)
 NORTH LATITUDE 45°50'15.64735"
 WEST LONGITUDE 103°25'59.47302"
 UNITS: US SURVEY FEET
 Convergence angle: -02°10'58"

VERTICAL DATUM: NAVD 88, UNITS: U.S. SURVEY FEET.



1/4	Sec.	T.	R.
16	150N	98W	

32 GENEVUE DRIVE
 BOZEMAN, MT 59713
 PHONE (406) 562-6221
 FAX (406) 562-5770
 www.alliedsurveying.com

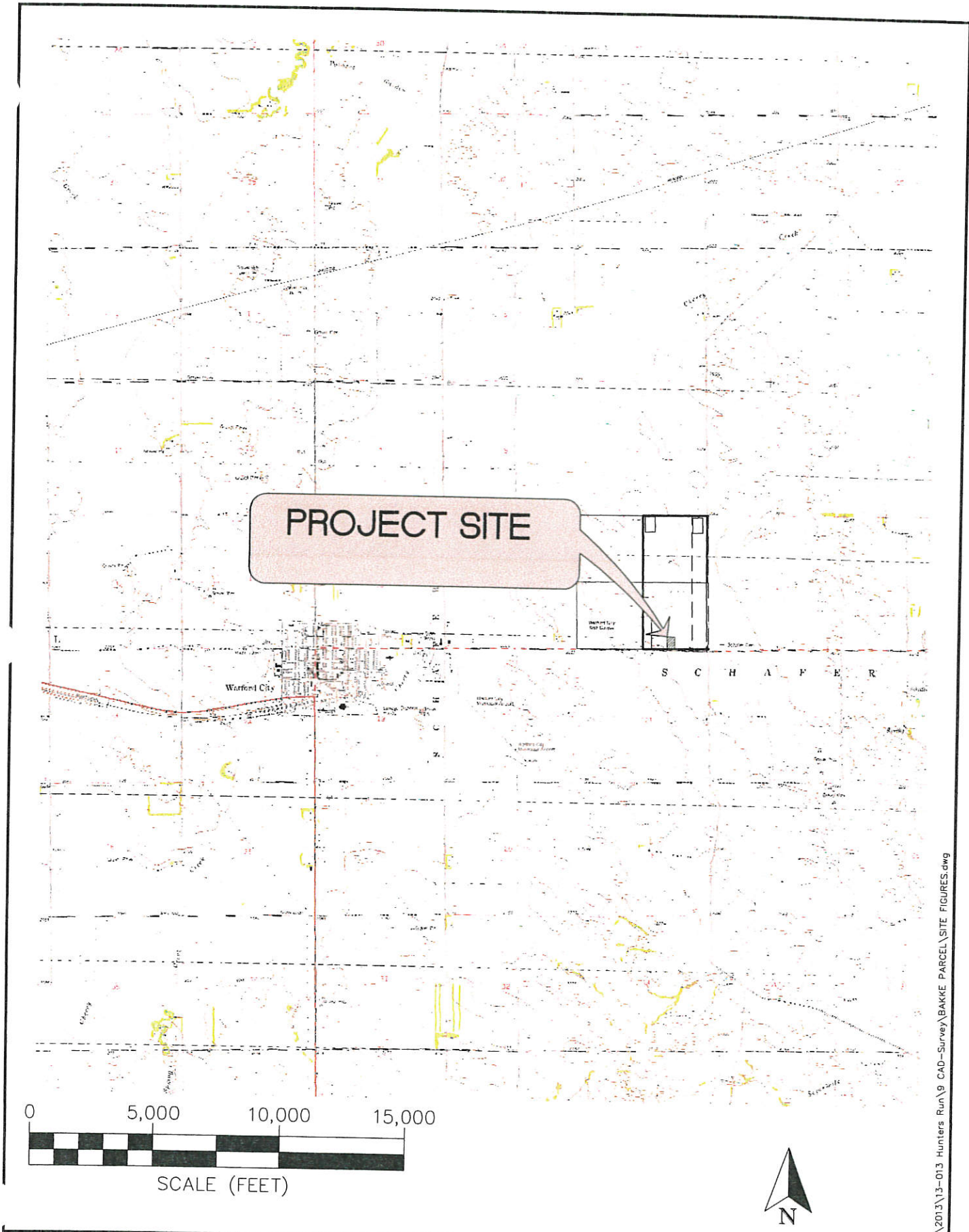
Civil Engineering
Geotechnical Engineering
Land Surveying




PROJECT SURVEYOR: GLF
 DRAWN BY: JDS
 REVIEWED BY: WIT
 DATE: 05/22/13

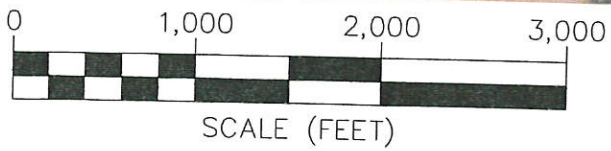
SHEET
1 of 1
 PROJECT No. 13-013
 Survey\ZONE MAP.dwg

P:\2013\13-013 Hunters Run\9 CAD-Survey\BAKKE PARCEL\ZONE MAP.dwg May 22, 2013 - 8:06am



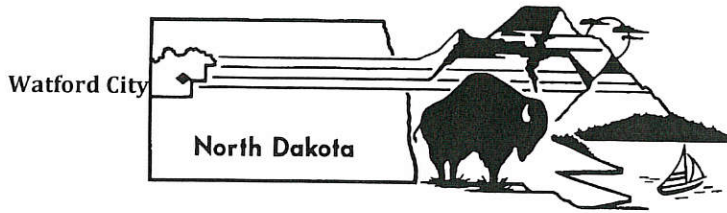
P:\2013\13-013 Hunters Run\9 CAD-Survey\BAKKE PARCEL SITE FIGURES.dwg

<p>PARCEL 20-00-10900 QUADRANGLE MAP SW1/4, SE1/4, SEC16, T150N, R98W, McKENZIE COUNTY</p>	<p><i>Civil Engineering</i> Geotechnical Engineering Land Surveying 32 DISCOVERY DRIVE · BOZEMAN, MT 59718 PHONE (406) 582-0221 · FAX (406) 582-5770 www.alliedengineering.com</p>		<p>FIGURE 2 DRAWN BY: JDS DATE: 05/20/2013 PROJECT #: 13-013</p>
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P:\2013\13-013 Hunters Run\9 CAD-Survey\BAKKE PARCEL\SITE FIGURES.dwg

<p>PARCEL 20-00-10900 AERIAL MAP SW1/4, SE1/4, SEC16, T150N, R98W, McKENZIE COUNTY</p>	<p><i>Civil Engineering</i> <i>Geotechnical Engineering</i> <i>Land Surveying</i></p> <p>32 DISCOVERY DRIVE . BOZEMAN, MT 59718 PHONE (406) 582-0221 . FAX (406) 582-5770 www.alliedengineering.com</p>		<p>FIGURE 3</p> <p>DRAWN BY: JDS DATE: 05/20/2013 PROJECT #13-013</p>
--	---	--	--



City of Watford City
Brent Sanford, Mayor
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

June 11, 2013

STAFF REPORT

ZC-22-2013 ZONE CHANGE

Applicant

Joseph Kachuroi
Hunter's Run, LLC
PO BOX 2802
Watford City, ND 58854

Property Owners

Mark and Beverly Maki

Property Address: 3408 4th Ave NE/NW corner of Highway 23 and Hwy 1806

Zone Change Requested:

A request to change the zoning of the above-referenced lot from AG to C2

Reference: Watford City City Code Sec. XV – Article XXVI, Amendments

Discussion: Article XXVI, Section 1 of the Watford City Zoning Ordinance states that “A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected.”

The property is located on NW corner of Hwy 23 and Hwy 1806, E1/2 Section 16, T150N, R98W and contains 294.28 Acres. This application is for 3.0 acres adjacent to the original 294.28 acres.

-The existing property is currently zoned as AG. The site will have access to city water and sewer service and is accessed from Hwy 23 and Hwy 1806. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

-The intent of the zone change application is to zone subject property for orderly development of subdivision; Hunter's Run Subdivision has been zoned 82.10 acres of R1 development, 30.86 acres of R2 development, 29.23 acres of R3 development, 45.85 acres of R4 development, 10.32 acres of C1 development, 42.63 acres of C2 development, and 32.68 acres of Industrial development.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city's zone change request.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties.

The Planning Commission shall also find that the zone change, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute "spot zoning" so as to allow a use that would otherwise not be permitted.

Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.

Surrounding Land Use Inventory:

West: Zoning -	C2, McKenzie County
Use -	Commercial/Service
South: Zoning -	C1, McKenzie County
Use -	Commercial
North: Zoning -	C2 & R4, McKenzie County
Uses -	Commercial/High Density Residential
East: Zoning -	C2, McKenzie County
Uses -	Commercial/Service

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible effect on surrounding properties must be considered when evaluating whether this zone change should be approved. The "R-1,R-2,R-3,R-4" Residential Districts are intended for the purpose of allowing high and low density multi-family dwellings along with compatible two-family and single-family dwelling units and some community facilities. The "C-1,C-2" (commercial/services) Districts are intended for the purpose of grouping retail merchandising, service businesses, and appurtenant activities into a concentrated area serving the general shopping and service needs of the trade area. It is also important to keep people living within and in close proximity to this district as well as encouraging persons to visit this area. Though residential users are permitted to cohabitate in the District, principal permitted uses include department stores, apparel stores, general retail sales, and similar uses appropriate for comparison-shopping. The area also encourages service-oriented business. The District is not intended for heavy commercial uses or those uses, those that consume large areas for storage or display of merchandise (indoors or out of doors), or those businesses that may not be considered compatible with adjacent traditional residential uses. The intent of the "I"(Industrial) District is to allow certain industrial land uses in a park-like atmosphere and to control the type of use, setback, parking, loading and unloading. It is also intended that this zone be compatible with adjoining dwelling and commercial land uses.

Site Development

Access: The property is accessible from Hwy 23 and Hwy 1806.

Sewer: There are currently no city sanitary sewer mains on the property. City water and sewer will be available.

Water: There will be city water mains accessible to the property.

Analysis: The proposed zoning will allow the developer continuity of subdivision zoning through newly acquired land with in subdivision.

Recommendation:

It is recommended that the Watford City Planning Commission approve a zone change from AG to C-2 for the property subject to the following conditions for any future development within the site:

1. The developer must finalize all civil improvement plans and annexation must be completed.
2. The development plan is subject to final approval by the city council.
3. All changes to the approved development plan are subject to further review and approval by the P&Z commission and the city council.

Contact:

Curtis Moen

City Planner/Zoning Administrator

LAND USE APPLICATION

Watford City Planning Department

See Reverse for Submittal Requirements

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>6/4</u>	APPLICATION NUMBER: <u>CW-4-2013</u>
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>6/24</u> CC: <u>7/1</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT - \$350.00 fee plus publishing cost	FEE: <u>350⁰⁰</u>	ADVERTISE DATE: <u>6/19</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>525570</u>	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>S21/T150N/R27W</u>	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Various - See Attached List

APPLICANT: AWS3, LLC

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

ME: AE2S

ADDRESS: 2321 2nd Ave W, Suite 5

CITY: Williston STATE: ND ZIP CODE: 58801

TELEPHONE: 701-774-3080 EMAIL: Pamela.Powell@AE2S.com

ASSESSOR'S PARCEL NUMBER(S): See Attached List

LEGAL DESCRIPTION: See Attached List

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Hwy 23, County Hwy 37, and 26th Street NW

GROSS/NET ACREAGE: Approx. 2.1 Miles PRESENT ZONE CLASSIFICATION: C1

DESIRED ZONE CLASSIFICATION: Unchanged CURRENT LAST USE: Idle Farm Ground

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS
(USE ADDITIONAL PAGES IF NEEDED)

Request for a Conditional Use Permit for a 12" water transmission line to furnish water to "The Crossings at Watford City" Subdivision and water to support the oil industry.

DESCRIBE THE SOURCE OF WATER/SEWER: WAWSA/Sewer Not Required Do you have a will serve letter YES NO

Land Use Applications Cannot be Accepted over the Front Counter
Please Call (701) 444-2533 to schedule an appointment

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

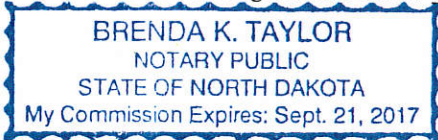
Steve L. Burian
 Property Owner Signature

Steve L. Burian
 Print of Type Owner Name

NOTARY

State of North Dakota
 County of Grand Forks

This instrument was acknowledged before me on May 30, 2013 by Steve L. Burian
 Date Name of Person



Brenda K Taylor
 Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

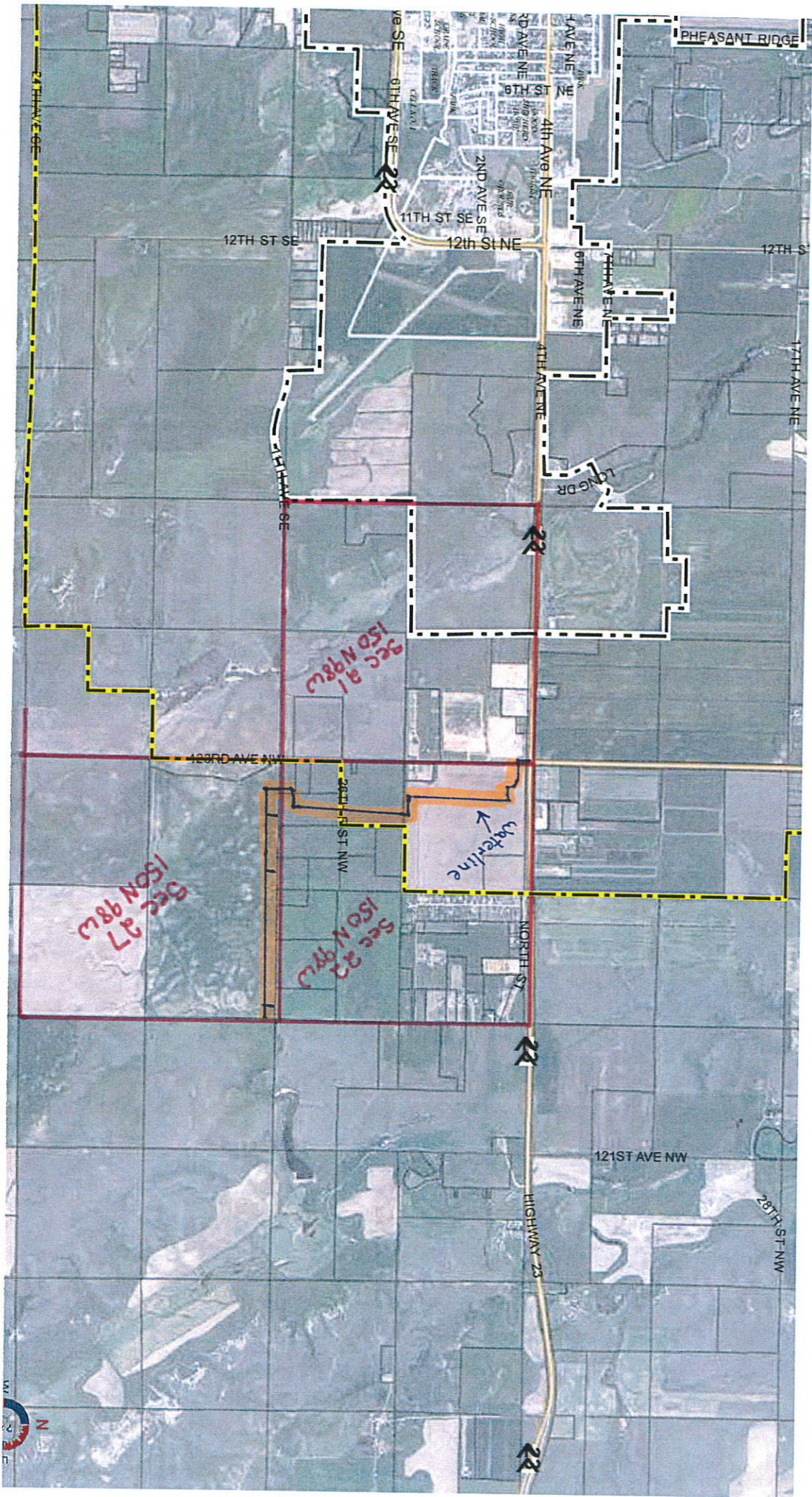
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications

*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, schedule an appointment by calling the Watford City Planning Department at (701) 444-2533. Filing an application without an appointment may delay your application processing and/or scheduled hearing(s). Only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor. Site Development Plan Application is required on all Conditional Use Applications.

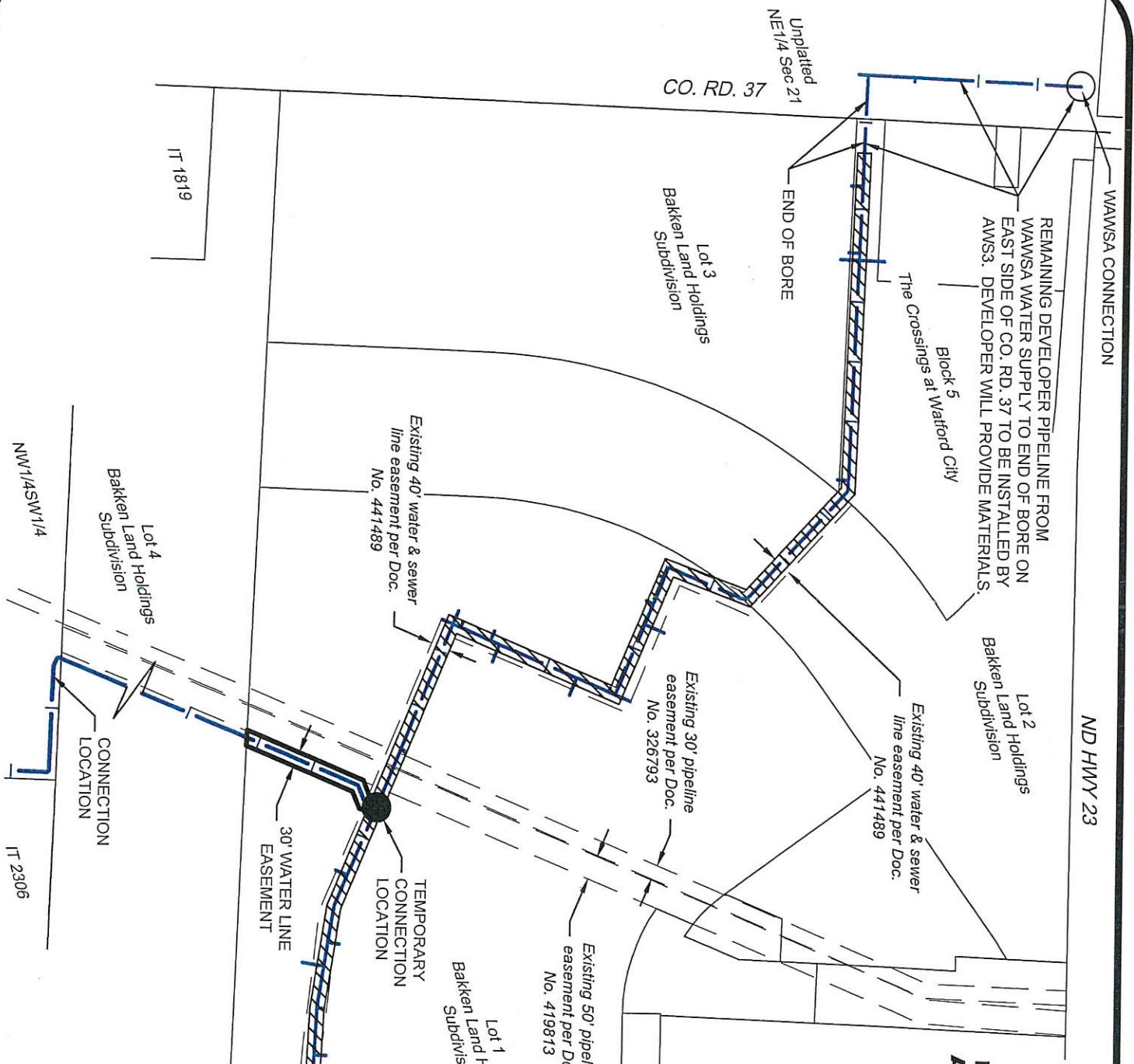
Watford City Planning Department
 213 2nd St NE
 Watford City, ND 58854
 Phone: (701)444-2533 Fax: (701)444-3004 Website: www.4eyes.net



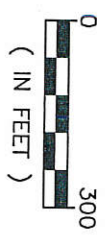
Project Location Map

EXHIBIT A

DEVELOPER PIPELINE ORIGIN
AND TERMINUS IN THE NW 1/4
SECTION 22, T150N, R98W,
5th PM, MCKENZIE COUNTY,
NORTH DAKOTA



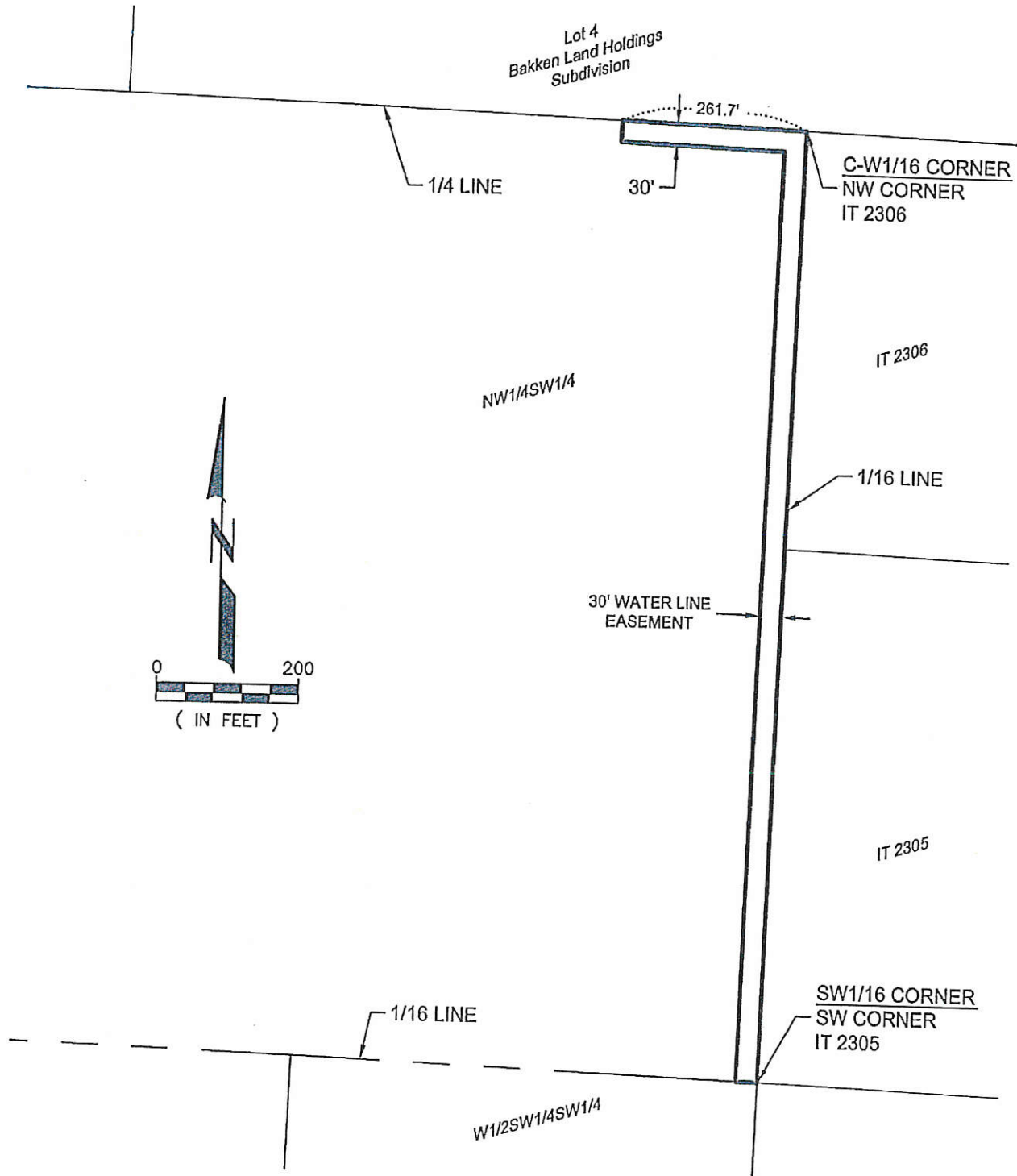
PORTION OF DEVELOPER
PIPELINE ALREADY INSTALLED



Advanced Engineering and
Environmental Services, Inc.
446 3rd Ave. West, Dickinson, ND
Ph: 701-225-9636 Fax: 701-225-9616
Web: w aes.com

EXHIBIT A

A WATER LINE EASEMENT ACROSS THE NW1/4SW1/4 SECTION 22,
T150N, R98W, 5th PM, MCKENZIE COUNTY, NORTH DAKOTA



Lot 4
Bakken Land Holdings
Subdivision

1/4 LINE

30'

261.7'

C-W1/16 CORNER
NW CORNER
IT 2306

IT 2306

NW1/4SW1/4

1/16 LINE

30' WATER LINE
EASEMENT

0 200
(IN FEET)

IT 2305

1/16 LINE

SW1/16 CORNER
SW CORNER
IT 2305

W1/2SW1/4SW1/4



Advanced Engineering and
Environmental Services, Inc.
446 3rd Ave. West, Dickinson, ND
Ph: 701-225-9636 Fax: 701-225-9616
Web: www.AE2S.com

consideration paid herein by GRANTEE includes payment for actual damages to crops, pasture, fences and timber, which arise from laying and/or constructing said Facilities.

GRANTEE shall insofar as is reasonably possible restore the surface of the land to substantially its original condition, such restoration to include the repair of any cut fences, leveling of the ground, and cleaning up all debris, and removing all rocks unearthed as a result of its Facilities installation. GRANTEE further agrees to reseed, at GRANTEE'S expense, the area in which the grass and foliage were destroyed with the same kind of grass and foliage destroyed, to mulch (if necessary) or cover the ground until the ground is adequately covered with sufficient grass and foliage to prevent erosion. GRANTOR shall have the right for a period of not to exceed (1) year from date of completion of the pipeline to make a reasonable determination that the ground and foliage has been restored. GRANTOR agrees not to build, create or construct or allow to be built, created or constructed, any obstructions, including without limitation impounded water, buildings, barns, workshops, improvements, engineering works, or other structures within the right of way nor shall GRANTOR change, or permit the change of, the grade of the surface of the ground within the right of way. If after the initial construction, installation and operation of the Facilities GRANTEE installs, repairs, replaces, or changes the size of the pipeline in the future within the easement herein granted, then damages will be paid equal to what has been paid for damages as a result of granting the initial easement.

GRANTEE agrees that any, to the extent possible, Facilities that project near the surface will be placed at locations to minimize the impacts associated with farming the property. The GRANTEE will use its reasonable efforts to locate these Facilities in locations such as the edge of fields or at other areas per GRANTOR's request if GRANTEE deems it reasonable. The GRANTEE agrees that, in addition to the amount paid for the easement identified herein, that the GRANTEE will pay the GRANTOR an additional sum of \$1,000.00 for each location where Facilities are installed on the above-described premises.


GRANTEE shall have no responsibility for pre-existing environmental contamination or liabilities.

GRANTOR hereby warrants and agrees to defend the title to the above-described premises.

TO HAVE AND TO HOLD said right of way and easement unto said GRANTEE, its successors and assigns, until such Facilities are constructed and so long thereafter as any of the Facilities are maintained thereon, and the undersigned hereby bind themselves, their heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof. The undersigned hereby covenant and agree to account to any other persons legally due any portion of the monies hereto paid for damages.

IN WITNESS WHEREOF, GRANTOR has caused these premises to be signed, executed and delivered this 9 day of April, 2013.

GRANTOR(S):

X 

Print Name(s): Arlon Franz

Address: PO Box 406

Sidney, MT 59270

STATE OF North Dakota)
COUNTY OF Williams)

) ss. INDIVIDUAL ACKNOWLEDGMENT
)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 9 day of April, 2013, personally appeared Arlon Franz, known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

My Commission Expires: 2-25-17


Notary Public

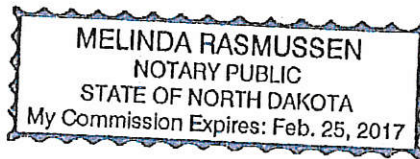
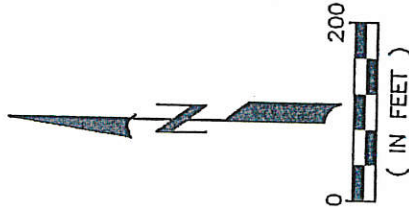
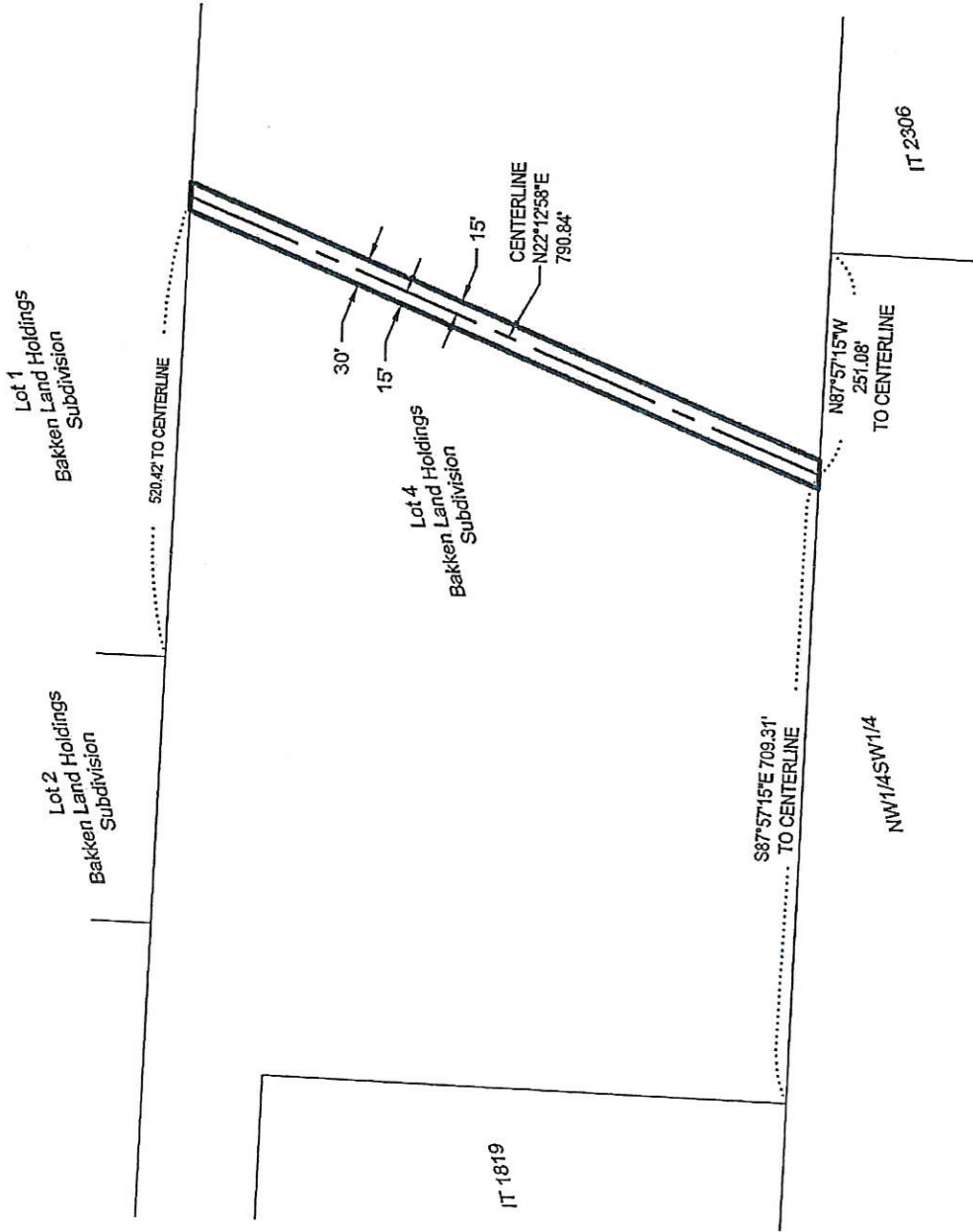


EXHIBIT A

A WATER LINE EASEMENT ACROSS LOT 4 OF BAKKEN LAND HOLDINGS SUBDIVISION IN THE NW1/4 SECTION 22, T150N, R98W, 5th PM, MCKENZIE COUNTY, NORTH DAKOTA



Advanced Engineering and
Environmental Services, Inc.
446 3rd Ave. West, Dickinson, ND
Ph: 701-225-9636 Fax: 701-225-9616
Web: www.AE2S.com

Return To:
 AWS3, LLC
 2321 2 Avenue West, Suite 5
 Williston, ND 58801

THE STATE OF NORTH DAKOTA)
) PIPELINE RIGHT OF WAY GRANT
 COUNTY OF MCKENZIE) AND RELEASE OF DAMAGES

KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, whether one or more, designated herein as GRANTOR, for and in consideration of the sum of Ten and More Dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, sell and convey to AWS3, LLC, 4050 Garden View Drive, Ste. 200, Grand Forks, North Dakota 58201, its successors or assigns (designated herein as "GRANTEE"), a right of way and easement and privilege to lay, construct, maintain, operate, repair, replace, inspect and remove one pipeline (together with fittings, tie-ins, and all appliances appurtenant thereto) to transport and convey industrial-use water (collectively the "Facilities") in, to, on, under, over and across the following described tract of land situated in McKenzie County, North Dakota, depicted in attached Exhibit A, to-wit:

T150N, R98W, Sec 22, NW1/4, Lot 4 of Bakken Land Holdings Subdivision

said right of way to be 30 feet in width, together with the rights of ingress and egress to and from said Facilities for the purposes aforesaid. The right of way herein granted shall be expanded temporarily during any period of construction to a width of 75 feet, except that such expansion shall be to a width of 100 feet at all road, ditch and waterway crossings and any areas of severely uneven ground. If the pipeline alignment when constructed varies slightly from Exhibit A, GRANTOR agrees to consent to modification of this easement to reflect the actual alignment so long as GRANTOR is ultimately fully compensated for the total acreage that will be subject to this easement.

GRANTEE shall bury the top of its pipes at least forty-eight inches below the surface of the ground. The undersigned GRANTOR, its successors, heirs or assigns, reserves, subject to the other provisions hereof, all oil, gas and minerals on and under said lands and the right to farm, graze and otherwise fully use and enjoy said lands, provided, however, that GRANTEE shall have the right hereafter to cut and keep clear all trees, brush and other obstructions that may injure, endanger or interfere with the construction and use of said Facilities. GRANTEE shall have all privileges necessary or convenient for the full use of the rights herein granted, together with ingress and egress along said Facilities and over and across said lands and GRANTOR shall not hinder, conflict or interfere with GRANTEE's rights hereunder or disturb its Facilities. The consideration paid herein by GRANTEE includes payment for actual damages to crops, pasture, fences and timber, which arise from laying and/or constructing said Facilities.

GRANTEE shall insofar as is reasonably possible restore the surface of the land to substantially its original condition, such restoration to include the repair of any cut fences, leveling of the ground, and cleaning up all debris, and removing all rocks unearthed as a result of its Facilities installation. GRANTEE further agrees to reseed, at GRANTEE'S expense, the area in which the grass and foliage were destroyed with the same kind of grass and foliage destroyed, to mulch (if necessary) or cover the ground until the ground is adequately covered with sufficient grass and foliage to prevent erosion. GRANTOR shall have the right for a period of not to exceed (1) year from date of completion of the pipeline to make a reasonable determination that the ground and foliage has been restored. GRANTOR agrees not to build, create or construct or allow to be built, created or constructed, any obstructions, including without limitation impounded water, buildings, barns, workshops, or other structures within the right of way. If after the initial construction, installation and operation of the Facilities GRANTEE installs, repairs, replaces, or changes the size of the pipeline in the future within the easement herein granted, then damages will be paid equal to what has been paid for damages as a result of granting the initial easement.

GRANTEE shall have no responsibility for pre-existing environmental contamination or liabilities.

GRANTOR hereby warrants and agrees to defend the title to the above-described premises.

TO HAVE AND TO HOLD said right of way and easement unto said GRANTEE, its successors and assigns, until such Facilities are constructed and so long thereafter as any of the Facilities are maintained thereon, and the undersigned hereby bind themselves, their heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof. The undersigned hereby covenant and agree to account to any other persons legally due any portion of the monies hereto paid for damages.

IN WITNESS WHEREOF, GRANTOR has caused these premises to be signed, executed and delivered this _____ day of _____, 2013.

GRANTOR(S):

X *Jarvis Sorenson*

Print Name(s): Jarvis Sorenson

Address: 2446 125th Ave NW

Watford City, ND 58854

STATE OF North Dakota)

COUNTY OF Williams)

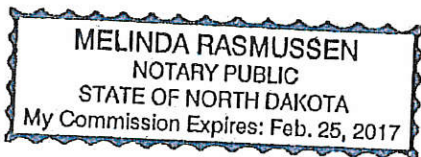
ss. INDIVIDUAL ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public, in and for said County and State, on this 30 day of April, 2013, personally appeared Jarvis Sorenson, known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

My Commission Expires: 2-25-17

Melinda Rasmussen
Notary Public



IN WITNESS WHEREOF, GRANTOR has caused these premises to be signed, executed and delivered this 30 day of April, 2013.

GRANTOR(S):

X Kadie Sorenson

Print Name(s): Kadie Sorenson

Address: 2446 125th Ave NW

Watford City, ND 58854

STATE OF North Dakota)

COUNTY OF Williams)

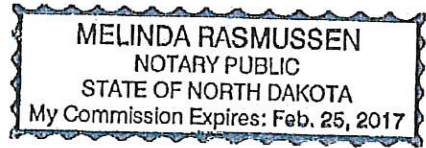
) ss. INDIVIDUAL ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public, in and for said County and State, on this 30 day of April, 2013, personally appeared Kadie Sorenson, known to me to be the identical person who executed the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

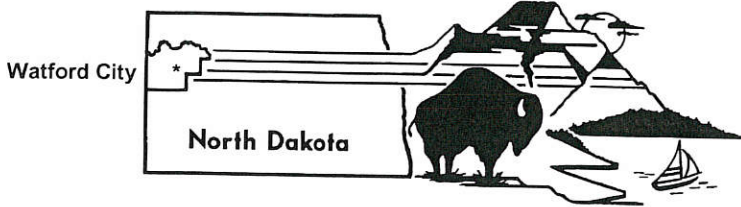
Given under my hand and seal of office the day and year last above written.

My Commission Expires: 2-25-17

Melinda Rasmussen
Notary Public



Property Owner	Accessor's Parcel Number	Legal Description
The Crossings at Watford City, LLC	20-02-01000	T150N, R98W, Sec 22, NW1/4, Lot 1 of Bakken Land Holdings Subdivision
Jarvis & Kadie Sorenson	20-02-04000	T150N, R98W, Sec 22, NW1/4, Lot 4 of Bakken Land Holdings Subdivision
Arlon Franz	20-00-15805	T150N, R98W, Sec 22, NW1/4SW1/4, Except Irregular Tract 2477



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444 - 2533
Fax 701- 444 - 3004
www.mckenziecounty.net

June 12, 2013

STAFF REPORT

CU-4-2013

Conditional Use

Applicant

AWS3, LLC
2321 2nd Ave W, Suite 5
Williston, ND 58801

Property Owners

The Crossings at Watford City, LLC
Jarvis & Kadie Sorenson
Arlon Franz

Property Address: Hwy 23, County Hwy 37, and 26th Street NW

Conditional Use Requested: 12" water transmission line to furnish water to "The Crossings at Watford City" subdivision and water to support the oil industry.

Reference: Watford City City Code Sec. XV – Article XXV, Conditional Uses & Article VII, Rules and Definitions

Discussion: This application was filed for the purpose of placing a 12" water transmission line in the ground to supply "The Crossings" a subdivision and continue out of city jurisdiction to SM Energy where potable water will be supplied to the company for fracking and maintenance water on their(SM Energy) sites.

The property is located at T150N, R98W, Sec22, NW1/4, Lot 1 of Bakken Land Holdings Subdivision/ T150N, R98W, Sec22, NW1/4, Lot 4 of Bakken Land Holdings Subdivision/ T150N, R98W, Sec22, NW1/4, SW1/4, Except Irregular Tract 2477

The existing property is currently developed as a C1 (commercial) site and to the south of the development is currently (AG) agriculture. The site has access to city water and sewer service and is accessed from Hwy23 and County Rd 37. The site is in the newly created Extra Territorial Area (ETA) and therefore falls within the jurisdiction of the Watford City Planning and Zoning Commission. The intent of the ETA is to regulate growth and development within one mile of the City but to not be restrictive in nature.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city's zone change request.

The commission should carefully consider all of the possible implications associated with approving this Conditional Use. Chapter XV, Article XX of the City of Watford City ordinances require that "All required off-street parking areas, including access drives, shall be improved with asphalt, concrete or similar dust-free surface and all parking spaces shall be clearly marked." At the CU permit's annual review, if it is determined that there is a long-term need, the P&Z commission can recommend to the city council that the permittee pave the parking areas. However, the P&Z Commission cannot waive the requirement to provide paved parking and driving surfaces. They can only make a

recommendation to the City Council to do so. Should the use become long-term the requirement to pave should be implemented. In the interim, a dust palliative such as magnesium chloride can be applied.

Surrounding Land Use Inventory:

West: Zoning -	C-1, Watford City
Use -	General Commercial
South: Zoning -	AG, Watford City
Use -	Agricultural
North: Zoning -	C-F, Watford City
Uses -	Community Facility/Cemetery
East: Zoning -	A-2, McKenzie County
Uses -	Agricultural/Residential

A Conditional Use Permit may be granted following compliance with the procedure set forth in this section if the conditional use is one set forth in the District Regulations, provided that no application for a conditional use shall be granted unless all of the following conditions are found to be present:

1. The conditional use will not be detrimental to or endanger the public health, safety or general welfare;
2. The existing permitted uses in the neighborhood will not in any manner be substantially impaired or diminished by the establishment of the conditional use;
3. The conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district;
4. Adequate utilities, access roads, drainage, and other necessary site improvements have been or are being provided;
5. Adequate measures have or will be taken to provide access and exit so designed as to minimize traffic congestion in the public streets; and
6. The conditional use shall conform to all special provisions of the district in which it is located. The Conditional Use Permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the Permit and periodic review may be required to determine if the conditional use has any detrimental effects on neighboring uses or districts. The Permit shall be granted for a particular use and not for a particular person or firm.

Site Development

Access: The property is accessible from Hwy 23 E/County Rd 37

Sewer: There is access to city sanitary sewer mains from the property.

Water: There is access to city water mains from the property.

Analysis: The property is currently being leveled for future development of "The Crossings" subdivision. An application for a 12" water transmission line used for commercial sale is an allowed use with a Conditional Use Permit in a C-1 district. The transmission line consists of approximately 2.1 miles and per the ordinance will be allowed.

Recommendation:

Staff recommends **approval** of the conditional use subject to the following conditions:

1. The conditional use permit is appropriate for Transmission Facilities which is defined as a liquid transmission line and associated facilities designed for or capable of transporting water.
2. Based on the intent for commercial sales of the water a conditional use permit is appropriate for this project.

Contact:

Seth Sampson
Assistant City Planner
City of Watford City
(701) 580-2170

LAND USE APPLICATION pg. 1 of 2
Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>6/6/18</u>	APPLICATION NUMBER: <u>V02 2013</u>
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>6/24</u> CC: <u>7/1</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT \$350.00 fee plus publishing cost	FEE: <u>200.00</u>	ADVERTISE DATE: <u>6/12-24/19</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>525582</u>	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>524 / TISON / R 99W</u>	
<input checked="" type="checkbox"/> VACATION & ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00 fee	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Orvis / Mylo Hagen

APPLICANT: Orvis Hagen

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Orvis Hagen

ADDRESS: P.O. Box 1015

CITY: Watford City

STATE: North Dakota

ZIP CODE: 58854

TELEPHONE: 602 430 2302

EMAIL: chagen@cox.net

ASSESSOR'S PARCEL NUMBER(S): 82-04-01100

LEGAL DESCRIPTION: Lot 11 Blk 1

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 316 2nd Ave N.W.

GROSS/NET ACREAGE: _____ PRESENT ZONE CLASSIFICATION: Residential

DESIRED ZONE CLASSIFICATION: _____ CURRENT LAST USE: _____

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS
(USE ADDITIONAL PAGES IF NEEDED)

I am requesting a variance to put a roof on my existing deck at my house at 316 2nd Ave N.W. No utilities required.

*477 Variance
Detack of*

SCRIBE THE SOURCE OF WATER/SEWER: City

Do you have a will serve letter YES NO

Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

LAND USE APPLICATION pg. 2
Watford City Planning Department

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Orvis Hagen

Property Owner Signature

ORVIS HAGEN

Print of Type Owner Name

NOTARY

State of Arizona
County of Maricopa

This instrument was acknowledged before me on 05/01/2013 by ORVIS Wayne Hagen
Date Name of Person



Erica Reinart

Signature of Notarial Officer

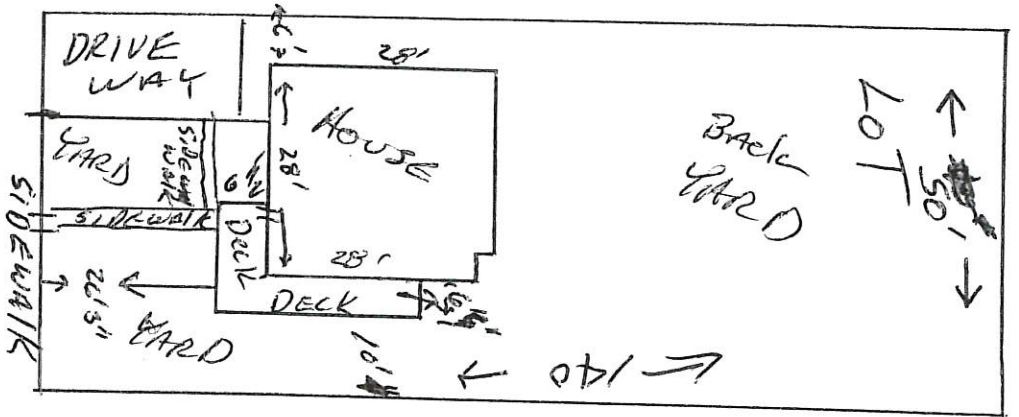
Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	2	1 ⁹		1 ¹¹	1 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	2	1 ⁹	1 ⁸	1 ¹¹	1 ¹²		1 ¹⁴	\$200.00
Variance	1	1	2			1 ¹¹				\$200.00
Vacation and Abandonment	1		2	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

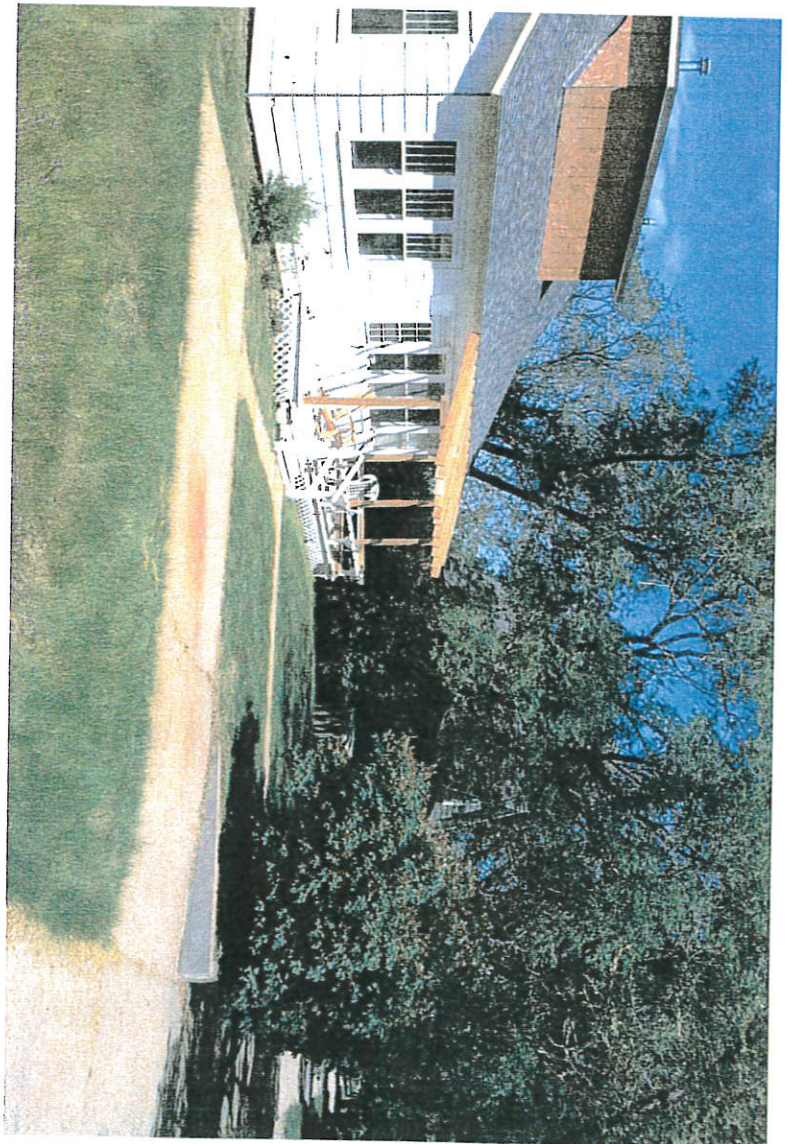
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

- After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- Site Development Plan Application is required on all Conditional Use Applications.

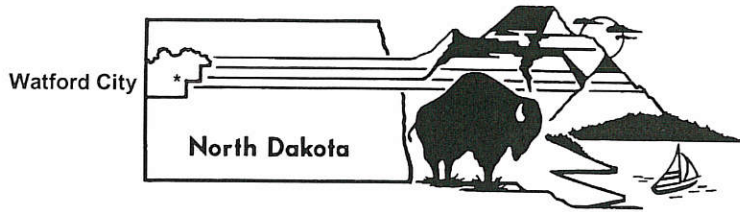


ALL MEASUREMENTS APPROXIMATE



316 2ND AV. N.W.
 LOT 11 OF BLOCK 1 OF THIRD ADDITION
 FRONT OF DECK TO SIDE WALK
 APPROX. 26' 3"

ORVIS HAELEN
 602 430 2302



City of Watford City
213 2nd St., NE
PO Box 494
Watford City, ND 58854
Ph. 701- 444- 2533
Fax 701- 444- 3004
www.mckenziecounty.net

June 14, 2013

STAFF REPORT

V-02-2013 Variance

<u>Applicant</u>	<u>Property Owner(s)</u>
Orvis Hagen PO Box 1015 Watford City, ND 58854	Same

Property Address: 316 2nd Ave NW
 Lot 11 Blk. 1

Variance Requested: A variance of three (3) feet seven (7) inches of the front yard setback requirement in the R-1 district of 30 (thirty) feet. The front yard faces 2nd Avenue Northwest.

Zone: R-1, Single Family Dwelling District

Reference: Watford City City Code Sec. XV – Article XXVII, Variances - Section 1 – Requirements for Variances and Section 2 - Limitations

Discussion: The applicant would like to build a roof over existing deck on front of home. The requested setback of three (3) feet seven (7) inches on the front yard setback would allow applicant to cover the existing front porch.

Article XXVII, Section 1 of the Watford City Zoning Ordinance outlines the following circumstances that must be shown in order to grant a variance:

1. Unique conditions apply to this property that do not generally apply to other properties in the vicinity as a result of exceptional narrowness, shallowness, or shape, by reason of exceptional topographical conditions, or other extraordinary or exceptional circumstances the strict application of the terms of this zoning ordinance actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
2. The yard regulation variance may not be more than one-half (1/2) the required yard and shall not encroach upon the required setback for adjacent buildings.

The property subject to this request is located on the north end of 2nd Avenue NW.

In granting a variance, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the variance will alleviate a clearly demonstrable hardship approaching

confiscation as distinguished from a special privilege or convenience sought by the owner. The planning Commission shall also find that the variance, if granted, is in harmony with the intended spirit and purpose of the zoning ordinance and does not constitute a direct and obvious amendment to the district regulations or district boundaries. Under no circumstances shall the Planning Commission grant a variance allowing a use within a district not permissible under the terms of this ordinance.

Recommendation: Staff recommends **approval** of variance of three (3) feet seven (7) inches from the required thirty (30) foot minimum front yard setback reducing the setback to twenty-six (26.3) feet, three (3) inches:

1. The protrusion of the proposed new roof into the front yard setbacks does not interfere with any site triangle easements for either 2nd St NW or 6th Ave NW.
2. None of the adjoining property owners had voiced objection to the reduced yard setbacks.
3. The project would enhance the home and surrounding properties

Should the Planning and Zoning Commission elect to grant the variance, a finding that the hardship warrants the approval of this variance should be made.

Contact:

Steven Williams
Watford City Building Inspector/Code Enforcement officer
701-444-2533 ex. 4

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY

PO Box 494 / 213 2nd St NE Watford City, ND 58854

APPLICATION TYPE	DATE FILED: <u>5-17-13</u>	APPLICATION NUMBER:
<input checked="" type="checkbox"/> SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MS</u>	PLANNING AND ZONING: <u>ce/24</u>
<input type="checkbox"/> SUBDIVISION FINAL MAP	FEE: <u>\$83000 #1673</u>	CITY COUNCIL: <u>7/1</u>
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT #: <u>525558</u>	SECTION / TOWNSHIP / RANGE: <u>23 150N 99W</u>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
<input type="checkbox"/> ROAD/STREET ABANDONMENT	PROPERTY OWNER: <u>Warren W. Hovland</u>	
<input type="checkbox"/> LARGE PARCELS MAP	APPLICANT: <u>Circle H Engineering and Surveying Inc.</u>	
<input type="checkbox"/> LARGE PARCELS MAP FINAL	CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:	
<input type="checkbox"/> MAP OF REVERSION	NAME: <u>Cory Ravnaas/Shannon Marinko</u>	
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP	PHONE: <u>701-548-8485</u>	
<input type="checkbox"/> AGRICULTURAL EXEMPTION	ADDRESS: <u>12 West Main Street, Suite B</u>	
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION	CITY: <u>Dunn Center</u> STATE: <u>ND</u> ZIP CODE: <u>58626</u>	
	EMAIL: <u>Cory@circ-lhl.com Shannon@circ-l-h.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 11-00-07700

LEGAL DESCRIPTION: _____

PROPERTY ADDRESS AND NEAREST CROSS STREETS: 705 11th Street SW, Watford city, ND 58854

GROSS/NET ACREAGE: 41.85 acres NUMBER OF LOTS: 8 ZONING: Industrial

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: Connect to City Services

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION?: No

(IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES). WAIVERS AND VARIANCES SHOULD BE DISCUSSED WITH PLANNING DEPARTMENT'S STAFF PRIOR TO FILING ANY REQUIRED APPLICATION.

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the _____ and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Property Owner (Signature): 

Property Owner (Print): Warren W. Hovland

Property Owner (Signature): _____

Property Owner (Print): _____

SURVEYOR / ENGINEER INFORMATION

NAME: Shannon Marinko LICENSE NO: 6616LS

ADDRESS: 12 West Main, Suite B

CITY: Dunn Center STATE: ND ZIP: 58626

PHONE: 701-548-8485 FAX/Email: Shannon@circ-l-h.com

This space for official use only

Document Prepared By:

Johnson & Sundeen
P.O. Box 1260
Watford City, ND 58854

Returned to:
DAKOTA WEST CREDIT UNION
PO BOX 1496
WATFORD CITY ND 58854

356846
County Recorder
McKenzie County
Watford City ND 58854

COUNTY RECORDER, MCKENZIE COUNTY, ND
I certify that this instrument was filed and recorded,
Ann M Johnson, County Recorder

356846
Fee \$16.00

By Ann M Johnson May 24, 2005 04:49 PM

OFFICIAL
COUNTY AUDITOR
I hereby certify that all Special Assessments, or
parts of Special Assessments, paid and transferred
this 27 day of May 2005
Archie M. Olson
COUNTY AUDITOR

By Alnae Hoffmann Deputy



QUIT CLAIM DEED

THIS INDENTURE, Made this 20th day of May, 2005, between
Kathy Hovland aka Kathy M. Hovland, a single woman, whose post office address is 35500
E Colfax Avenue, Watkins, Colorado 80137, hereinafter referred to as grantor (whether one
or more), and Warren Hovland aka Warren W. Hovland, a single man, hereinafter referred
to as grantee (whether one or more), whose post office address is 35318 6th Avenue E.,
Watkins, Colorado 80137

For and in consideration of the sum of Ten Dollars (\$10.00) and other valuable
consideration, grantor does hereby convey and QUIT CLAIM to the grantee all of the
following real property lying and being in the County of McKenzie, State of North Dakota,
and described as follows, to-wit:

THE E1/2SE1/4 OF SECTION 23, TOWNSHIP 150 NORTH OF RANGE 99 WEST
OF THE 5TH P.M. EXCEPTING RAILROAD RIGHT OF WAY; I.T. # 1350
LOCATED IN THE SW1/4NW1/4 OF SECTION 24, TOWNSHIP 150 NORTH OF
RANGE 99 WEST OF THE 5TH P.M., AND THE NW1/4SW1/4 OF SECTION 24,
TOWNSHIP 150 NORTH OF RANGE 99 WEST OF THE 5TH P.M., EXCEPTING
RAILROAD RIGHT OF WAY AND, EXCEPTING I.T. # 1365 AND EXCEPTING I.T.
1496. 295162 280540

The legal description on this document was obtained from a previously recorded
instrument recorded at the office of the McKenzie County Register of Deeds as
Document No. 321746.

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER (SW1/4SW1/4) OF SECTION TWENTY-FOUR (24) IN
TOWNSHIP ONE HUNDRED FIFTY (150) NORTH OF RANGE NINETY-NINE
(99) WEST OF THE FIFTH PRINCIPAL MERIDIAN, MCKENZIE COUNTY,
NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

324320 - 1659

165

265894 - 1352

DIVISION OF LAND / PLANNING APPLICATION

CITY OF WATFORD CITY
PO Box 494 / 213 2nd St NE Watford City, ND 58854

APPLICATION TYPE	DATE FILED: <u>6/4</u>	APPLICATION NUMBER:
<input checked="" type="checkbox"/> SUBDIVISION PRELIMINARY MAP	PROCESSED BY: <u>MJS</u>	PLANNING AND ZONING: <u>6/24</u>
<input type="checkbox"/> SUBDIVISION FINAL MAP	FEE: <u>750 + 10 Lot = \$2040.00</u>	CITY COUNCIL: <u>7/1</u>
<input type="checkbox"/> PARCEL MAP SUBSEQUENT	RECEIPT # <u>#525576</u>	SECTION / TOWNSHIP / RANGE: <u>16 150N 98W</u>
<input type="checkbox"/> PARCEL MAP NON-SUBSEQUENT	RELATED CASE FILES:	FINAL ACTION LETTER ISSUED DATE:
<input type="checkbox"/> ROAD/STREET ABANDONMENT	PROPERTY OWNER: <u>Hunter's Run, LLC</u>	
<input type="checkbox"/> LARGE PARCELS MAP PRELIMINARY	APPLICANT: <u>Hunter's Run, LLC</u>	
<input type="checkbox"/> LARGE PARCELS MAP FINAL	<i>CORRESPONDENCE FOR THIS APPLICATION SHOULD BE ADDRESSED TO:</i>	
<input type="checkbox"/> MAP OF REVERSION	NAME: <u>Marco Nordio</u>	
<input type="checkbox"/> BOUNDARY LINE ADJUSTMENT MAP	PHONE: <u>(701) 339-2390</u>	
<input type="checkbox"/> AGRICULTURAL EXEMPTION	ADDRESS: <u>P.O. Box 2802</u>	
<input type="checkbox"/> FAMILY CEMETERY DESIGNATION	CITY: <u>Watford City</u> STATE: <u>ND</u> ZIP CODE: <u>58854</u>	
	EMAIL: <u>marco@stevemartel.com</u>	

ASSESSOR'S PARCEL NUMBER(S): 20-00-10700

LEGAL DESCRIPTION: a portion of the E 1/2, Section 16, T150N, R 98W,

PROPERTY ADDRESS AND NEAREST CROSS STREETS: Hwy 23 & Hwy 1806, McKenzie County, ND

GROSS NET ACREAGE: 149.14 NUMBER OF LOTS: 129 ZONING: R-1, R-2, R-3, R-4, C-1, C-2, I

DESCRIBE THE METHOD OF PROVIDING WATER & SEWER: City Water & City Sewer

ARE ANY WAIVERS OR VARIANCES REQUIRED TO SUPPORT THIS APPLICATION?: None Anticipated

(IF YES, ATTACH A JUSTIFICATION LETTER DESCRIBING SUCH WAIVERS OR VARIANCES). WAIVERS AND VARIANCES

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under WATFORD CITY CODE; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Property Owner (Signature): [Signature]

Property Owner (Print): HUNTER'S RUN LLC

Property Owner (Signature): _____

Property Owner (Print): _____

(SURVEYOR) ENGINEER INFORMATION

NAME: Kyle L. Thompson LICENSE NO: LS - 6986

ADDRESS: 32 Discovery Drive

CITY: Bozeman STATE: MT ZIP: 59718

PHONE: (406) 582-0221 FAX/Email: (406) 582-5770 - kthompson@alliedengineering.com



Corporate Office

32 Discovery Drive
Bozeman, Montana 59718
Ph: (406) 582-0221
Fax: (406) 582-5770

North Dakota Office

120 S. Main St., Lower Level
Stanley, North Dakota 58784
Ph: (701) 628-0221
Cell: (701) 629-0245

June 5, 2013

City of Watford City
c/o Curtis Moen, City Planner
P.O. Box 2802
Watford City, ND 58854

**RE: Division of Land / Planning Application
Hunter's Run Subdivision – Phase 1 (~ 149.14 acres)
Portion of E ½, Section 16, T150N, R98W, McKenzie County, Watford City, North Dakota**

Dear Mr. Moen:

Please find enclosed the Division of Land / Planning Application for Hunter's Run Subdivision – Phase 1.

The subject property is in the Watford City ETA (Extra Territorial Area), McKenzie County, North Dakota, and has recently been annexed, and also received zoning approval as a mixed use development. The subject property is a 294.10 acres parcel, generally located within the East Half of Section 16, Township 150 North, Range 98 West. The overall property is bounded by Highway 23 to the south, Highway 1806 to the east, 17th Ave. NE to the north, the City Golf Course and farmland to the west. The attached Subdivision Preliminary Map is specific to Phase 1, which is generally the south half of the property, consisting of approximately 149.14 acres.

The mixed used development will consist of the following zoning districts, as outlined in the Watford City Zoning Ordinance:

- Commercial (C-1)
- Commercial 2 (C-2)
- Industrial (I)
- Residential (R-1)
- Residential 2 (R-2)
- Residential 3 (R-3)
- Residential 4 (R-4)
- Parks and Open Space

It should be noted there are some subtle internal subdivision layout revisions since the conceptual Land Use Map was approved by Watford City on April 1, 2013. This is due to several factors, including site terrain, parks and open space requirements, internal traffic circulation, but is mainly due to the recently suggested access locations stipulated by the North Dakota Department of Transportation (NDDOT). The NDDOT recommended access locations have been shown on the Subdivision Preliminary Map, and well as the updated Land Use Map. The zoning areas are generally consistent with the original Land Use Map, and overall densities are consistent, or less than the original conceptual Land Use Map.

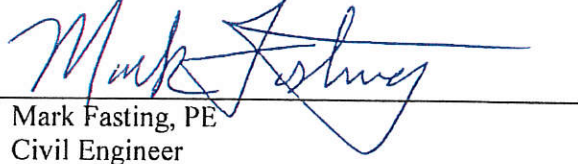
Based on the most recent layout for Phase 1 of the project, there are two (2) proposed accesses to Highway 23 and two (2) proposed accesses to Highway 1806. Allied Engineering has been working closely with Watford City, and the property is proposed to connect to the municipal water and sewer system of Watford City. The internal subdivision layout will consist of city streets, water mains, sewer mains, storm drainage improvements, etc.

Please find enclosed the attachments for your use.

- Division of Land / Planning Application (signed)
- Recorded Deed - Hunter's Run, LLC
- Signature Representation (Minutes of the Member Meeting of Hunter's Run, LLC)
- Recorded Annexation Documents
- Watford City - Intent to Serve Letter for Hunter's Run Subdivision
- Abstract of Title
- Subdivision Preliminary Map (3 copies of 24" x 36")
- Subdivision Preliminary Map (2 copies of 11" x 17")
- Land Use Map
- Payment of property taxes
- Application Fee - (pending confirmation from Watford City)

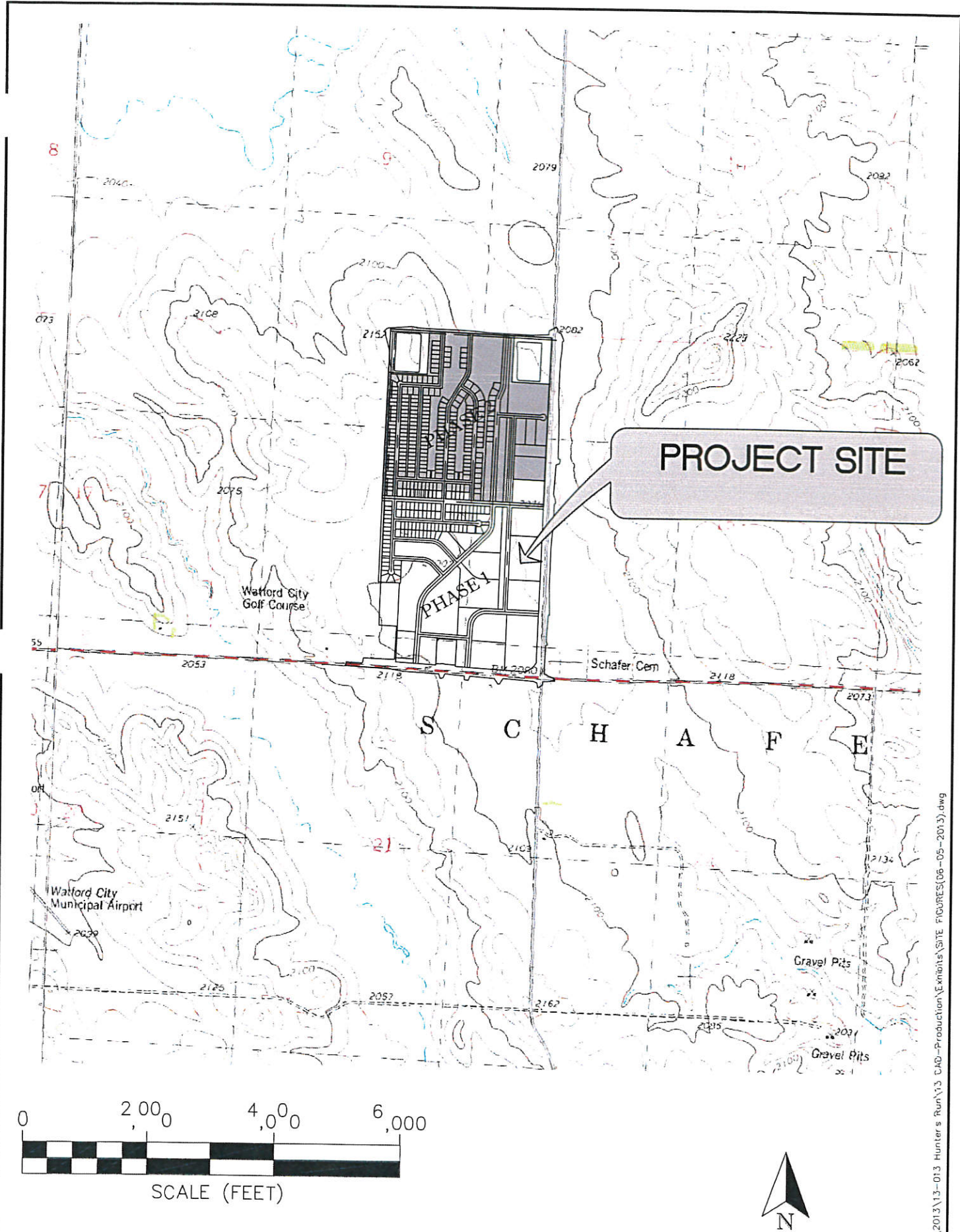
Feel free to call if you have any comments or questions regarding this submittal. Thank you.

Sincerely,
Allied Engineering Services, Inc.


Mark Fasting, PE
Civil Engineer

enc: Division of Land / Planning Application and attachments

P:\2013\13-013 Hunters Run\1 Project Management\Correspondence\Preliminary Map Application - Phase 1 - 2013_06_05.docx



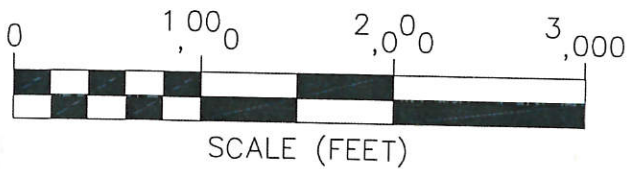
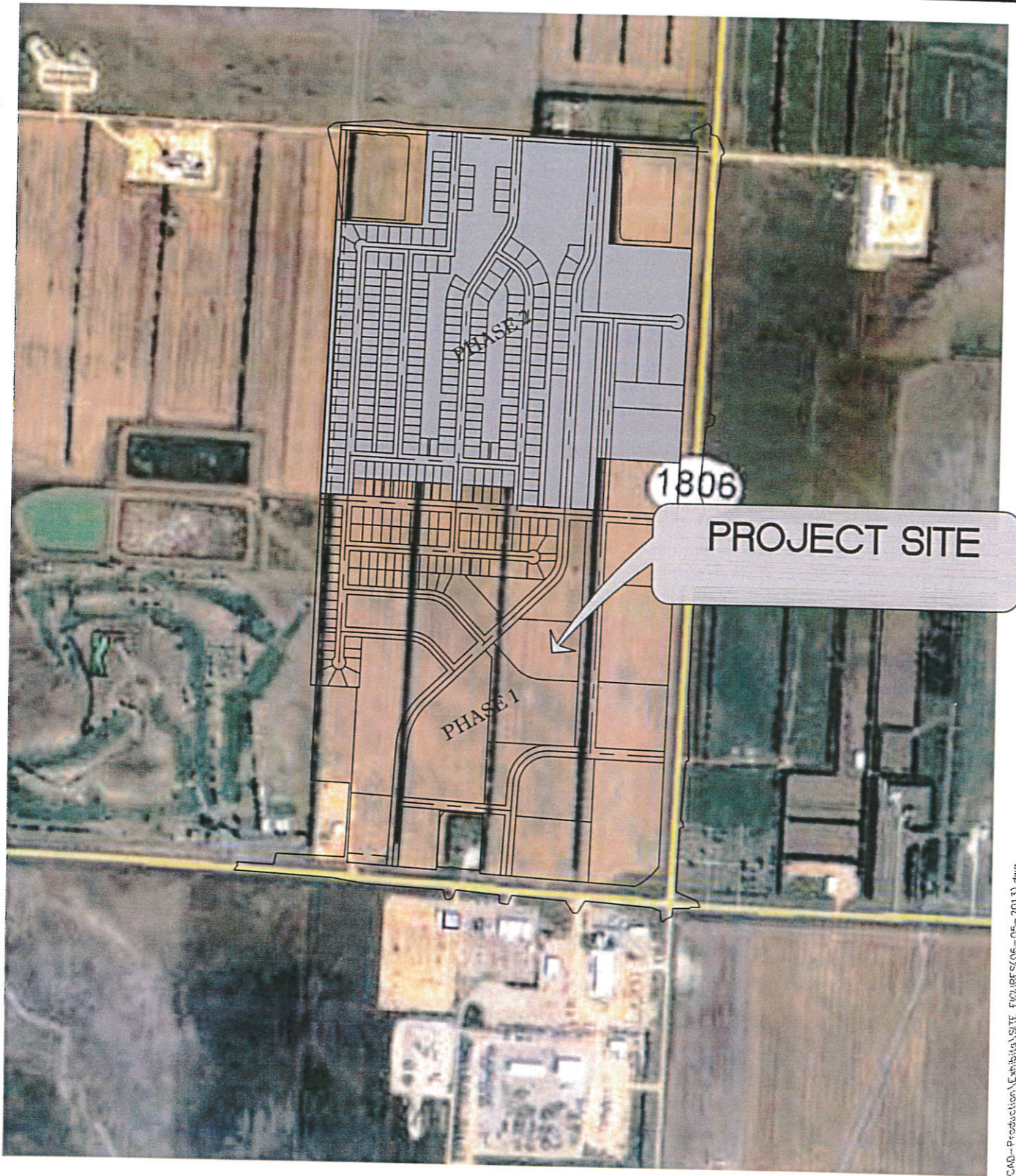
P:\2013\13-013 Hunter's Run\13 CAD-Production\E-knobs\SITE FIGURES\06-05-2013.dwg

HUNTER'S RUN SUBDIVISION
 F I L L F
 E 1/2, SEC 16, T150N, R98W, McKENZIE COUNTY, ND

**Civil Engineering
 Geotechnical Engineering
 Land Surveying**
 32 DISCOVERY DRIVE · BOZEMAN, MT 59718
 PHONE (406) 582-0221 · FAX (406) 582-5770
 www.alliedengineering.com



FIGURE
 DRAWN BY: JDS
 DATE: 06/05/2013
 PROJECT #13-013



P:\2013\13-013 Hunters Run\13 CAD-Production\Exhibits\SITE FIGURES(06-05-2013).dwg

HUNTER'S RUN SUBDIVISION
P L L P

E 1/2, SEC 16, T150N, R98W, MCKENZIE COUNTY, ND

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FIGURE

DRAWN BY: JDS
DATE: 06/05/2013
PROJECT #:13-013

LAND USE APPLICATION pg. 1 of 2

City of Watford City Planning Department

AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>6/5</u>	APPLICATION NUMBER: <u>2C-24-2013</u>
<input checked="" type="checkbox"/> ZONE CHANGE - \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>6/24</u> CC: <u>7/1</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT \$350.00 fee plus publishing cost	FEE: <u>200.00</u>	ADVERTISE DATE: <u>6/12 & 6/19</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT #: <u>525578</u>	PROPERTY OWNERS NOTIFIED:
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>28 / T150N / R99W</u>	
<input checked="" type="checkbox"/> VACATION & ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00 fee	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: Country Cross Ranch LLC
APPLICANT: Mike McPherson

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: Country Cross Ranch LLC
ADDRESS: P.O. Box 338
CITY: Glen drive **STATE:** MT **ZIP CODE:** 59330
TELEPHONE: 406-687-3230 **EMAIL:** mikemcp2010@hotmail
ASSESSOR'S PARCEL NUMBER(S): 11-10-03100
LEGAL DESCRIPTION: Lot 2 of Block 2 NE 1/4 & SE 1/4 NW 1/4 Sec. 25 T150 North of
PROPERTY ADDRESS AND NEAREST CROSS STREETS: US 85 & Frontier Rd
GROSS/NET ACREAGE: 2.09 **PRESENT ZONE CLASSIFICATION:** A-1
DESIRED ZONE CLASSIFICATION: C1 **CURRENT LAST USE:** Farming

DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Change is needed to build commercial building - shop & others in same area.

DESCRIBE THE SOURCE OF WATER/SEWER: _____ **Do you have a will serve letter** YES NO

LAND USE APPLICATION pg. 2

City of Watford City Planning Department

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.

Viola Mitchell for Country Cross Ranch LLC
Property Owner Signature

Viola Mitchell for Country Cross Ranch
Print of Type Owner Name

NOTARY

State of Montana
County of Dawson

This instrument was acknowledged before me on 06-05-2012 by Viola Mitchell
Date Name of Person



MARNIE V RAU
NOTARY PUBLIC for the
State of Montana
Residing at Glendive, Montana
My Commission Expires
February 1, 2017

Marnie V. Rau
Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	2	1 ⁹		1 ¹¹	1 ^{12*}	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	2	1 ⁹	1 ⁸	1 ¹¹	1 ¹²		1 ¹⁴	\$200.00
Variance	1	1	2			1 ¹¹				\$200.00
Vacation and Abandonment	1		2	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1	1				1 ¹¹				Refer to Fee Schedule

Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

Procedures for Filing Land Use Applications:

- A. After assembling the required materials as outlined above, only completed applications shall be accepted for filing.
- B. Review the Summary of Required Reviews or Hearings for your application type. ATTENDANCE AT ALL SCHEDULED MEETINGS IS MANDATORY, you may assign an agent to speak on your behalf. Failure to appear at any meeting may result in delays.
- C. Staff Report: To discuss a report or recommendation, contact the Planning Department to resolve concerns prior to the hearing.
- D. A letter indicating the Commission's decision and all conditions of approval is sent to the correspondent address on the application. All conditions must be met before an occupancy permit or a business license will be issued. In many cases, the Planning Commission is considered to be final action unless appealed, refer to the Summary or Required Reviews or Hearings.
- E. Any person may appeal, in writing, to the board within 30 calendar days from the date the Notice of Final Action was sent. The Office of the Zoning Administrator must physically receive the appeal by 4:00 pm. on the 30th calendar day.
- F. The Planning Commission has the authority to impose conditions, restrictions, safeguards and date of expiration on any land use application that is granted to ensure the health, safety and welfare of the neighborhood. Failure to comply with such conditions shall be deemed as a violation. Any such person who knowingly continues the violation after receiving written notification of the violation is guilty of misdemeanor.
- G. Site Development Plan Application is required on all Conditional Use Applications.

Watford City Planning Department
213 2nd St NE / PO Box 494
Watford City, ND 58854

Phone: (701)444-2533 Fax: (701)444-3004 Website: www.mckenziecounty.net

Land use application

Purpose—Bring land into compliance for our intended commercial use.

Hook-up to city services.

Intent —To build a 8,000 sq ft commercial structure for lease.

Impact--Majority of adjacent property is used for commercial purposes.

Public—We would like to hook into local services for water / sewer, and power.

An excellent location for a commercial / retail enterprise, Land will be completed to comply with Watford City's dust control policy.

Lease—Land will comply with Watford city's ordinance, as it applies to the General Commercial District.



Delinquent Taxes and Special Assessments, or Installments
of Special Assessments, paid and transfer entered this

day of Sept, 2010.
Frances M. Olson County Auditor
by Aeneas Hoffmann Deputy

County Recorder
McKenzie County
Watford City ND 58854

407077

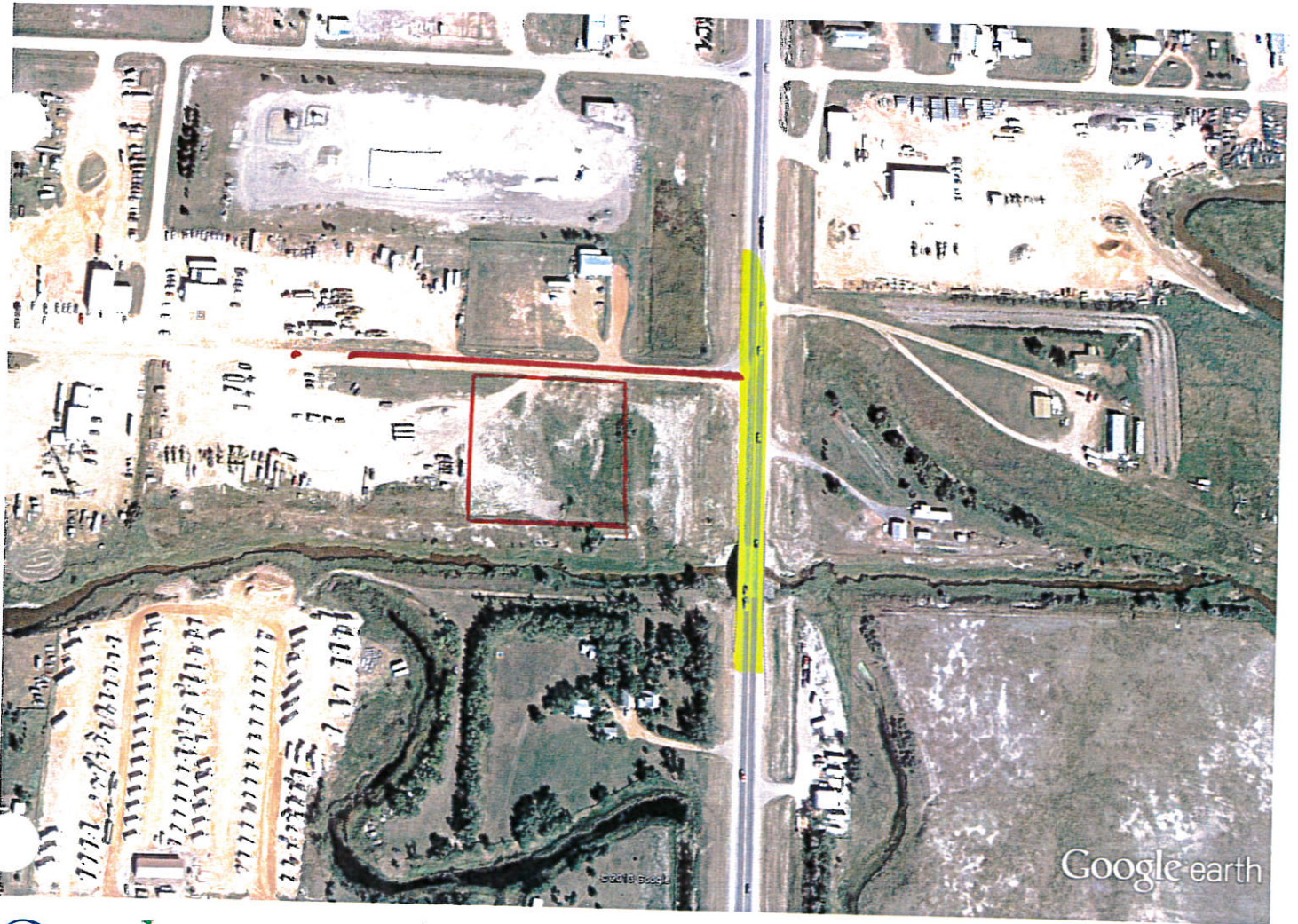
Page 2 of 2

COUNTY RECORDER, MCKENZIE COUNTY, ND

I certify that this instrument was filed and recorded, 407077
Ann M Johnsrud, County Recorder Fee \$13.00

By Jodi Hanson, Deputy Sep 01, 2010 01:57 PM





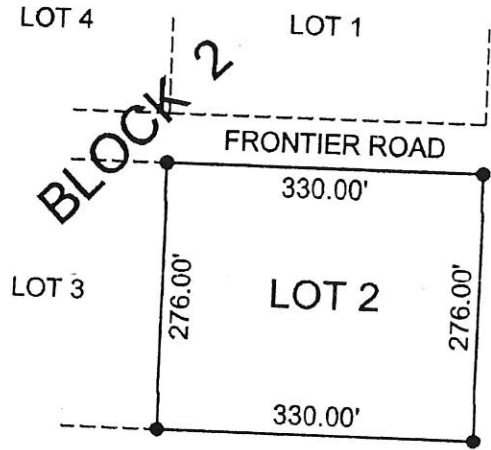
Google earth



13th Ave SW

58 hmt





● - IRON PIN

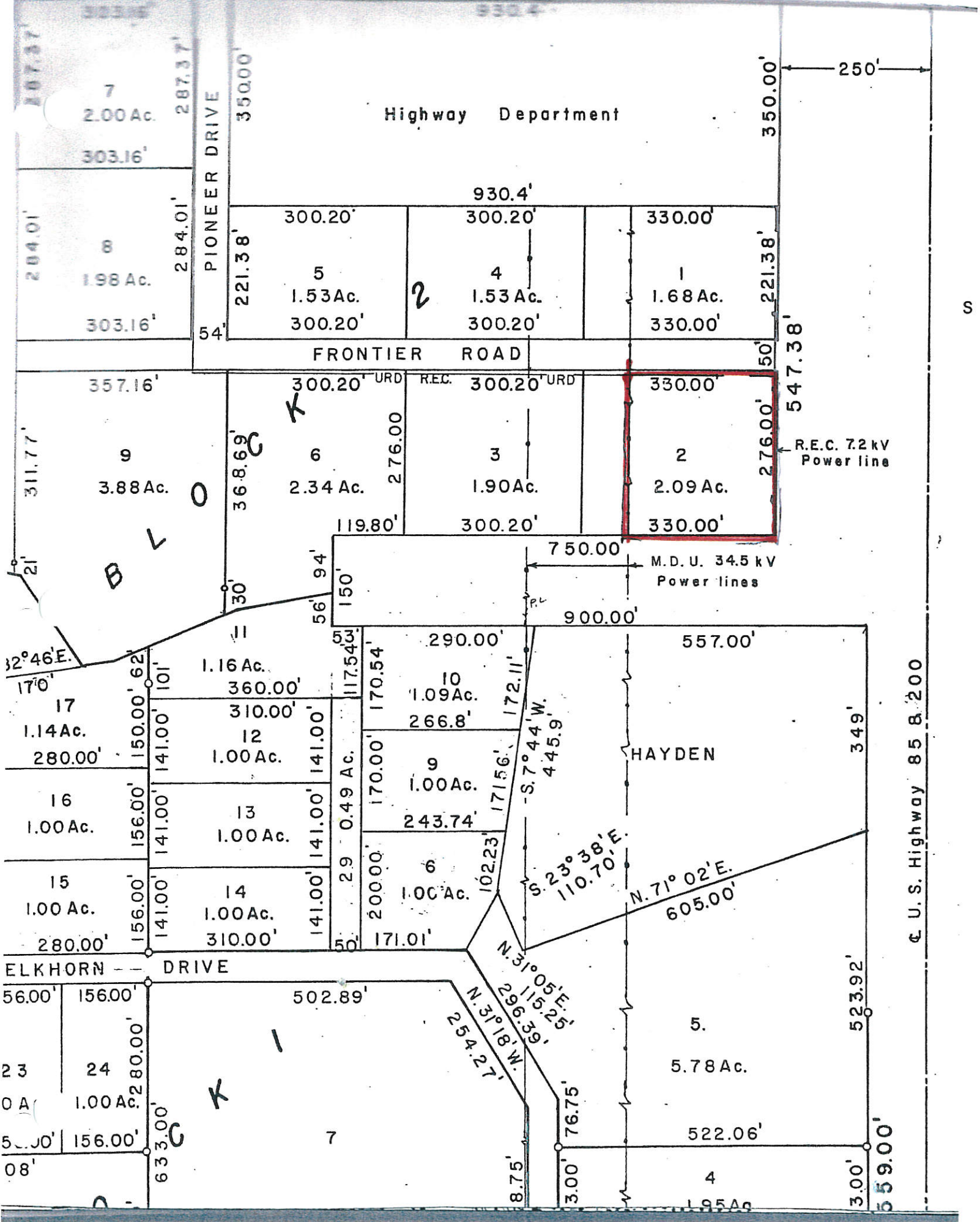
DESCRIPTION

Lot 2 of Block 2 of the Old West Subdivision, in Section 25, T 150 N, R 99 W of the 5th PM, McKenzie County, North Dakota containing 2.09 acres, more or less.

I, Kelly D. Olson, a registered North Dakota land surveyor, do hereby certify that I have re-surveyed the above platted parcel of land, and that this plat represents said re-survey.



Sept 21, 2010
DATE



Highway Department

FRONTIER ROAD

ELKHORN DRIVE

U.S. Highway 85 B 200

R.E.C. 7.2 kV Power line

M.D.U. 34.5 kV Power lines

HAYDEN

7
2.00 Ac.

8
1.98 Ac.

9
3.88 Ac.

6
2.34 Ac.

4
1.53 Ac.

1
1.68 Ac.

2
2.09 Ac.

10
1.09 Ac.

12
1.00 Ac.

13
1.00 Ac.

14
1.00 Ac.

15
1.00 Ac.

16
1.00 Ac.

17
1.14 Ac.

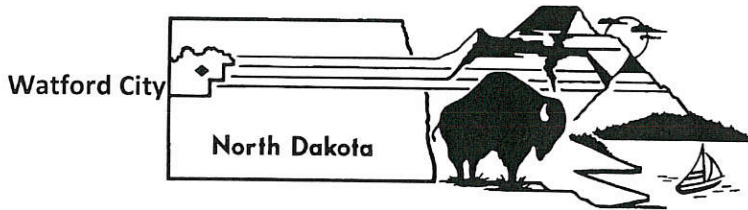
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L
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C

S



City of Watford City

Brent Sanford, Mayor

213 2nd St., NE

PO Box 494

Watford City, ND 58854

Ph. 701- 444- 2533

Fax 701- 444- 3004

www.mckenziecounty.net

June 11, 2013

STAFF REPORT

ZC-24-2013 Zone Change

Applicant

Country Cross Ranch LLC

Mike McPherson

P.O. Box 338

Glendive, MT 59330

Property Owners

Country Cross Ranch LLC

Property Address: Lot 2 of Block 2, US HGWY 85 & 13th Ave SW

Zone Change Requested: A request to change the zoning of the above-referenced lot from A-1 to C-1 area (2.09 acres).

Reference: Watford City City Code Sec. XV – Article XXVI, Amendments

Discussion: Article XXVI, Section 1 of the Watford City Zoning Ordinance states that "A proposal for an amendment or a change in zoning may be initiated by the City Council, by the Planning Commission, or upon application of the owner of the property affected."

The property is located at Lot 2, of Block 2, NE1/4 & SE1/4, NW1/4, Sec 25, T150, North of R99 West

The existing property is currently undeveloped field zoned as A-1. The site is within the City ETA and is subject to City development standards.

Country Cross Ranch LLC is requesting a zone change from A-1 to C1. The proposed project is to build a commercial building/shop similar to the commercial shops already located in the neighboring properties.

The City of Watford City mailed the property owners that hold an interest in the property and the adjoining property owners a notice regarding the city's zone change request. Property owners have voiced opposition and have contacted the city regarding the application.

In granting a zone change, the Planning Commission must satisfy itself, from the evidence heard before it that the granting of the zone change is in the best long-term interests of the City of Watford City and the other affected properties. The Planning Commission shall also find that the zone change, if granted, is in harmony

with the intended spirit and purpose of the zoning ordinance and does not constitute "spot zoning" so as to allow a use that would otherwise not be permitted.

Under no circumstances shall the Planning Commission recommend a zone change not permissible under the terms of this ordinance.

Surrounding Land Use Inventory:

West:	Zoning -	C-1, Watford City
	Use -	General Commercial
South:	Zoning -	A-1, Watford City
	Use -	Agriculture
North:	Zoning -	C-1, Watford City
	Uses -	General Commercial
East:	Zoning -	A-1, Watford City
	Uses -	Agriculture

Comprehensive Zoning Plan and Zoning Comparison:

At this time, the city does not have a detailed Comprehensive Zoning Plan that can be used as a basis for this decision. Therefore, each request for a zoning amendment must be based solely on the judgment of the commission. The commission must exercise prudence when evaluating this request. All of the possible uses that could occur on this property and the possible affect on surrounding properties must be considered when evaluating whether this zone change should be approved. The zone requested by the applicant (C-1) is a general commercial district.

Site Development

Access: The property is accessible from 13th Ave SW. Currently a county road.

Sewer: City sewer will be available for this site.

Water: City water will be available for this site.

Analysis: The proposed zoning location provides adequate space for a commercial shop and parking.

Recommendation: It is recommended that the Watford City Planning Commission approve a zone change from A-1 to C1 zoning for the property subject to the following conditions:

1. The developer must submit a detailed site plan showing adequate parking, traffic flow within the site to ensure sufficient traffic flow to facilitate drainage throughout the site.
2. The Developer will agree to provide paved access to the development.
3. The developer must submit generalized building plans for the types of units proposed within the development for review and approval.
4. All changes to the approved site plan are subject to further review and approval.

Contact:

Seth Sampson
Assistant City Planner
701-580-2170
ssampson@nd.gov

LAND USE APPLICATION

Watford City Planning Department
See Reverse for Submittal Requirements
AREA BETWEEN DOUBLE LINES FOR STAFF USE ONLY

APPLICATION TYPE:	DATE FILED: <u>6/4</u>	APPLICATION NUMBER: <u>20-23-2013</u>
<input checked="" type="checkbox"/> ZONE CHANGE- \$200.00 fee	PROCESSES BY: <u>MS</u>	MEETING DATES: P&Z: <u>6/24</u> CC: <u>7/1</u>
<input checked="" type="checkbox"/> CONDITIONAL USE PERMIT- \$350.00 fee plus publishing cost	FEE: <u>200.00</u>	ADVERTISE DATE: <u>6/12 & 6/19</u>
<input checked="" type="checkbox"/> VARIANCE - \$200.00 fee	RECEIPT # <u>525581</u>	PROPERTY OWNERS NOTIFIED: <u>YES</u>
<input checked="" type="checkbox"/> STREET NAME CHANGE	SECTION/TOWNSHIP/RANGE: <u>S22/T150N/R98W</u>	
<input checked="" type="checkbox"/> VACATION and ABANDONMENT	RELATED CASE NOS:	
<input checked="" type="checkbox"/> SIMPLE LOT SPLIT - \$450.00	FINAL ACTION MEMORANDUM ISSUED:	DOES THIS USE CONFORM TO THE MASTER PLAN?

(CLEARLY PRINT ALL INFORMATION USING INK OR TYPE)

PROPERTY OWNER: JARVIS AND KADIE SORENSON

APPLICANT: BAKKEN DEVELOPMENT SOLUTIONS 11012 DECIMAL DR., LOUISVILLE, KY 40299

ALL MAIL FOR THIS APPLICATION SHOULD BE ADDRESSED TO

NAME: BOWMAN CONSULTING GROUP, INC. ATTN: JOE WHITEBREAD

ADDRESS: 2121 EISENHOWER AVENUE, SUITE 302

CITY: ALEXANDRIA STATE: VIRGINIA ZIP CODE: 22314

TELEPHONE: 703-548-2188 EMAIL: JWHITEBREAD@BOWMANCG.COM

ASSESSOR'S PARCEL NUMBER(S): 20-02-04000

LEGAL DESCRIPTION: PORTION OF THE NW 1/4 SEC 22, T150N, R98W

PROPERTY ADDRESS AND NEAREST CROSS STREETS: SOUTH OF HIGHWAY 23, EAST OF COUNTY ROAD 37

GROSS/NET ACREAGE: 36.43 PRESENT ZONE CLASSIFICATION: C-1 GENERAL COMMERCIAL

DESIRED ZONE CLASSIFICATION: R-4 HIGH DENSITY RESIDENTIAL CURRENT LAST USE: AGRICULTURE


DESCRIBE YOUR REQUEST IN DETAIL. YOU MUST CITE ANY RELEVANT CODE SECTIONS, WAIVERS, OR CONDITIONAL USE PERMITS (USE ADDITIONAL PAGES IF NEEDED)

Owner intends to adjust the boundary of this parcel in order to create a new parcel for transfer to The Applicant. Owner also wishes to rezone property to R-4 High Density Residential district. The purpose of this rezone and associated boundary adjustment is to create a parcel for sale to a 3rd party for future development by the 3rd party. Frontier Ave is included in Lot 2 because of an existing public access and utility easement.

DESCRIBE THE SOURCE OF WATER/SEWER: WATFORD CITY UTILITIES Do you have a will serve letter YES NO

Land Use Applications Cannot be Accepted over the Front Counter
Please Call (701) 444-2533 to schedule an appointment

(I, We), the undersigned swear and say that (I am, We are) the owner(s) of record on the tax rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Watford City Code; that the information on the plans and drawings attached hereto, and all of the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Watford City Planning Department and its designee, to enter the premises of the property subject to this application for the purposes of gathering information for the purpose of advising the public of the proposed application.


Property Owner Signature

Janis Sorenson
Print of Type Owner Name

NOTARY

State of North Dakota

County of McKenzie

This instrument was acknowledged before me on June 18, 2013 by Janis Sorenson
Date Name of Person

DAWN TSCHETTER
Notary Public
State of North Dakota
My Commission Expires June 23, 2016


Signature of Notarial Officer

Documents Required for Submitting Land Use Applications

APPLICATION TYPE	Application	Conceptual Site Plan	Site Plans	Deed	Legal Description	Justification Letter	Traffic Impact Analysis	Straight-line Drawing	Supplemental Info.	Application Fees
Conditional Use Permit	1	1	4	1 ⁹		1 ¹¹	4 ¹²	1 ¹³	1 ¹⁴	\$350.00
Zone Change	1	1	4	1 ⁹	1 ⁸	1 ¹¹	4 ¹²		1 ¹⁴	\$200.00
Variance	1	1	4			1 ¹¹				\$200.00
Vacation and Abandonment	1		4	1 ⁹	1 ⁸	1 ¹¹				Refer to Fee Schedule
Street Name Change*	1					1 ¹¹				Refer to Fee Schedule

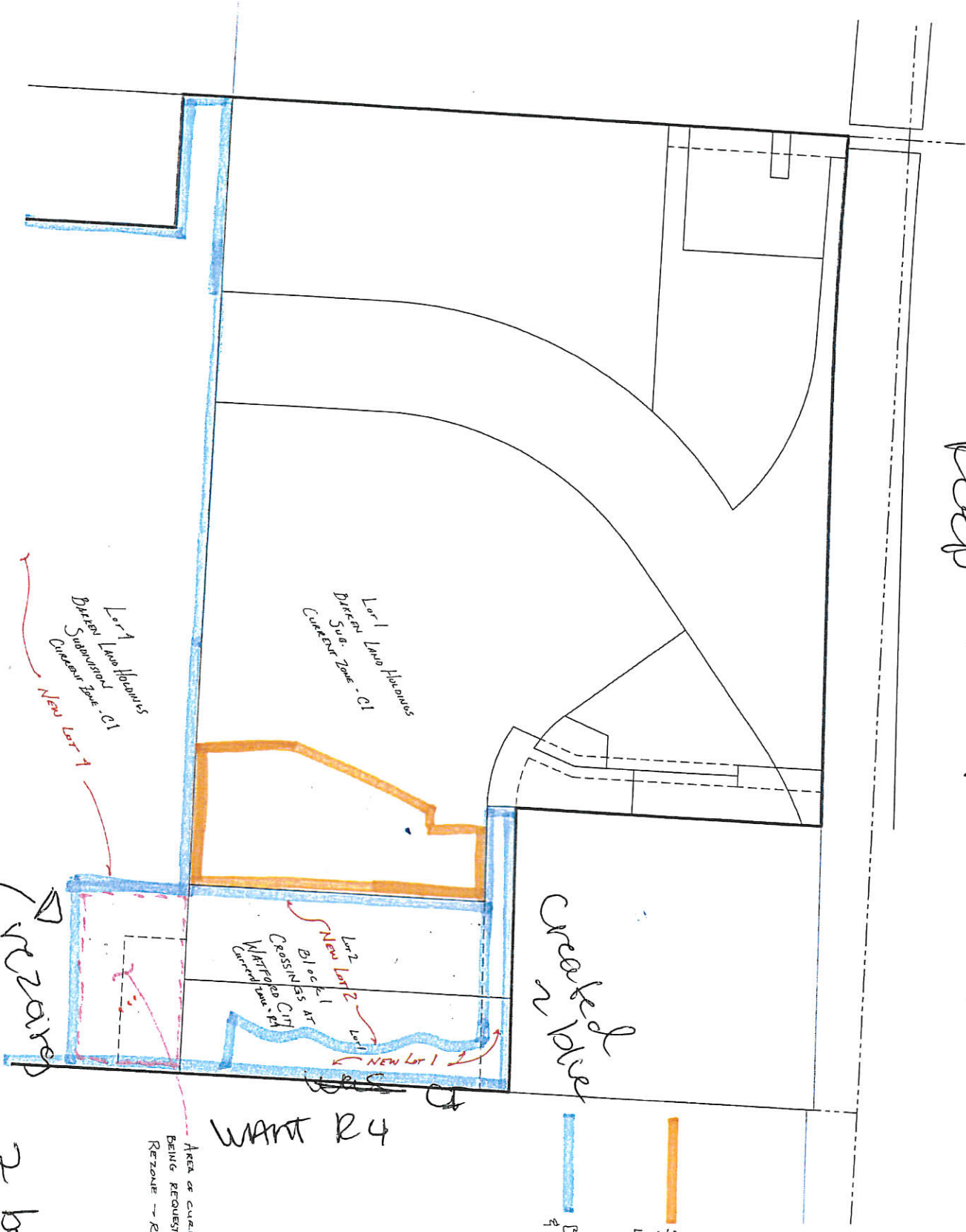
Superscript notes on this table refer to the same item number on the Explanation of the Document Submittal Requirements for Planning Applications
*Plus all sign costs

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Watford City Planning Department
213 2nd St NE
Watford City, ND 58854
Phone: (701)444-2533 Fax: (701)444-3004 Website: www.4eyes.net

Keep for Planning



2 rezoned simple lot split

2 boundary rezoning

Area of Current C1 Being Requested For R4

Simple Lot Split
 rezoned R1-R4
 Lot 3 in Block 1

Boundary Review
 rezoned

WANT R4

