



ENGINEERING DEPARTMENT

DATE: October 18, 2016
FROM: Gabe Schell, PE | City Engineer 
ITEM: Storm Water and Drainage Easement

REQUEST

Approval of the Storm Water and Drainage Easement with Wilment Development, LLC.

Please place this item on the October 25, 2016, City Commission meeting agenda.

BACKGROUND INFORMATION

This Storm Water and Drainage Easement is needed to construct, maintain, and repair storm water conveyance facilities including underground and surface storm water improvements across part of Lots 26 and 27, Block 1, Boulder Ridge First Addition.

RECOMMENDED CITY COMMISSION ACTION

Approve the Storm Water and Drainage Easement.

STAFF CONTACT INFORMATION

Gabe Schell, PE, City Engineer, 355-1505, gschell@bismarcknd.gov



Storm Water and Drainage Easement

This indenture, made this 3rd day of Oct, 2016, between Wilment Development LLC, whose post office address is 3250 Rock Island Place #4, Bismarck, North Dakota 58504, hereinafter called Grantor and the City of Bismarck, a municipal corporation whose post office address is P.O. Box 5503, Bismarck, North Dakota 58506-5503 hereinafter called the Grantee.

1. For and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns a storm water drainage easement over and across the following described tract for the purpose to construct, maintain and repair storm water conveyance facilities including underground and surface storm water improvements. Grantee shall have the right to ingress and egress across real property of Grantor for purposes herein granted.
2. This easement is, except for right of access, limited to:

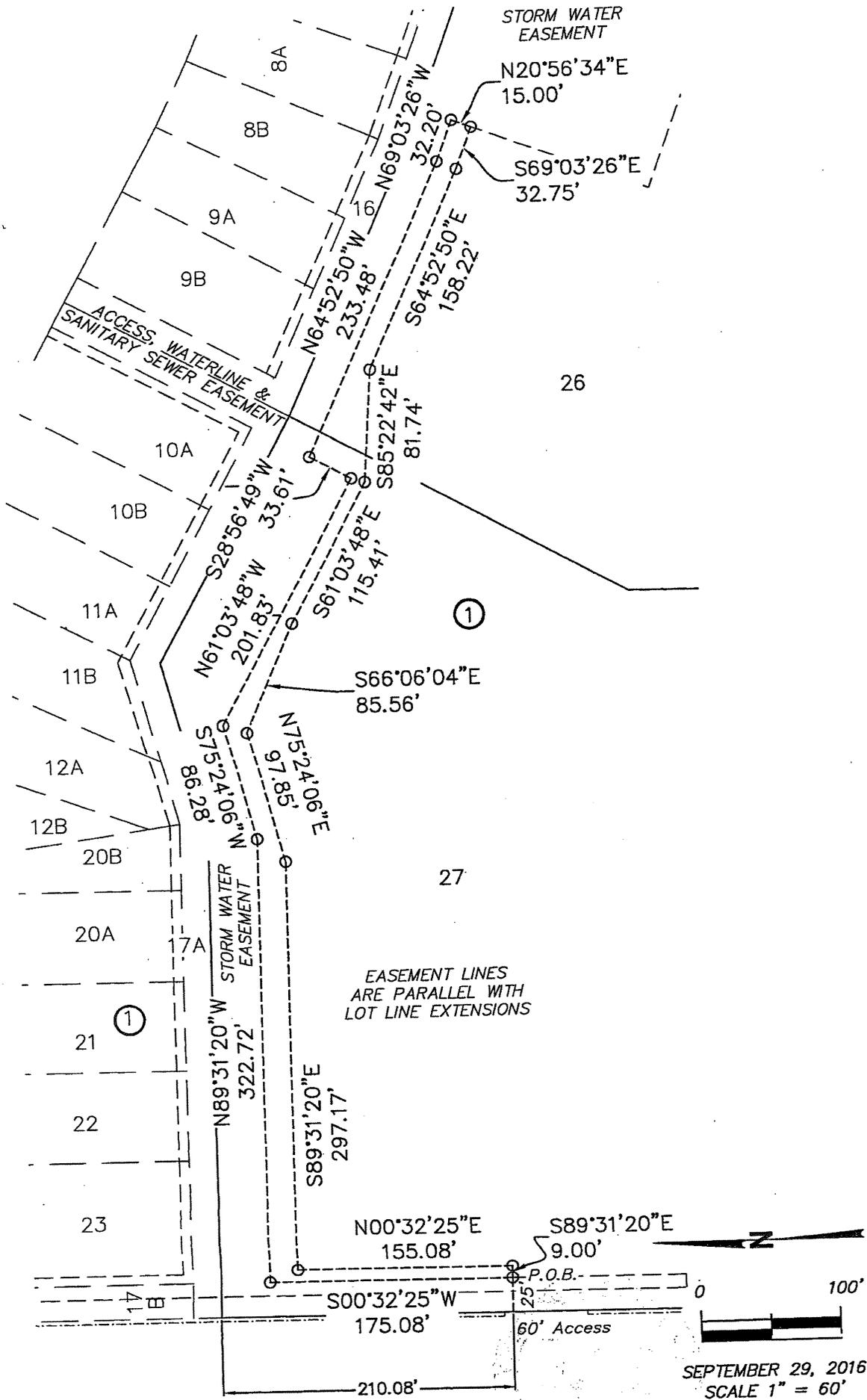
All that part of Lot 26 and 27 Block 1 Boulder Ridge First Addition, Bismarck, North Dakota described as follows:

Commencing at the Northwest corner of Lot 27 Block 1 Boulder Ridge 1st Addition; thence South 00 degrees 32 minutes 25 seconds West a distance of 210.08 feet, a long West line of said Lot 27, thence South 89 degrees 31 minutes 20 seconds East a distance of 25.00 feet, to the point of beginning; thence South 89 degrees 31 minutes 20 seconds East a distance of 9.00 feet; thence North 00 degrees 32 minutes 25 seconds East, parallel with and 34.00 feet East of the West line of Lot 27, a distance of 155.08 feet; thence South 89 degrees 31 minutes 20 seconds East, parallel with and 55.00 feet South of the lot line common to Lots 17 and 27, a distance of 297.17 feet; thence North 75 degrees 24 minutes 06 seconds East, parallel with and 45.00 feet from the lot line common to Lots 17 and 27, a distance of 97.85 feet; thence South 66 degrees 06 minutes 04 seconds East a distance of 85.56 feet; thence South 61 degrees 03 minutes 48 seconds East, parallel with and 70.00 feet from the lot line common to Lots 17 and 27 a distance of 115.41 feet; thence South 85 degrees 22 minutes 42 seconds East a distance of 81.74 feet; thence South 64 degrees 52 minutes 50 seconds East, parallel with and 40.00 feet from the lot line common to Lots 16 and 26, a distance of 158.22 feet; thence South 69 degrees 03 minutes 26 seconds East a distance of 32.75 to the western edge of the storm water easement as platted on Boulder Ridge First Addition; thence North 20 degrees 56 minutes 34 seconds East, along said Westerly easement line, a distance of 15.00 feet; thence North 69 degrees 03 minutes 26 seconds West, along the platted storm water easement, a distance of 32.20 feet; thence North 64 degrees 52 minutes 50 seconds West, continuing along said easement, a distance of 233.48 feet; thence South 28 degrees 56 minutes 49 seconds West, continuing along said easement, a distance of 33.61 feet; thence North 61 degrees 03 minutes 48 seconds West, continuing along said easement, a distance of 201.83 feet; thence South 75 degrees 24 minutes 06 seconds West, continuing along said easement, a distance of 86.28 feet; thence North 89 degrees 31 minutes 20 seconds West, continuing along said easement, a distance of 322.72 feet; thence South 00 degrees 32 minutes 25 seconds West, along said easement line, a distance of 175.08 feet to the point of beginning.

Said tract contains 16,510 square feet or 0.38 acres, more or less.

3. The Grantee shall own and maintain the storm sewer pipe and manholes within the easement. The Grantee shall own and maintain the surface drainage improvement including swales and ponds and be responsible for major repairs.

STORM WATER AND DRAINAGE EASEMENT EXHIBIT



SWENSON, HAGEN & COMPANY P.C.

909 Basin Avenue
 Bismarck, North Dakota 58504
 shen@swensonhagen.com
 Phone (701) 223-2600
 Fax (701) 223-2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

DC