BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
North Hills 16th Addition – Zoning Change (A and Conditional-RM15 to RT and Conditional-RM15)

Status: Planning Commission – Consideration	**Date:** September 23, 2009
Owner(s): Marlen Coleman & Barry Coleman	**Engineer:** Kadrmas, Lee & Jackson

Reason for Request:
Plat and zone property for future development.

Location:
Along the south side of 43rd Avenue between Normandy and Dominion Streets. (A replat of Lot 5, Block 3, North Hills 15th Addition and an unplatted portion of the west ½ of the northeast ¼ of Section 21, T139N-R80W/Hay Creek Township.)

Project Size: 14.783 acres	**Number of Lots:** 3 lots in 2 blocks
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Undeveloped	**Land Use:** Residential and office uses
Zoning: A- Agriculture RM15 – Residential	**Zoning:** RT-Residential RM15-Residential
Uses Allowed: A- Agricultural uses RM15 – Multi-family residential	**Uses Allowed:** RT – Offices and multi-family residential RM15 – Multi-family residential not to exceed 4 units per lot
Maximum Density Allowed: A – 1 unit per 40 acres RM 15 – One 4-unit structure per lot	**Maximum Density Allowed:** RT – 30 units per acre RM15 – One 4-unit structure per lot

PROPERTY HISTORY:

Zoned:	Platted:	Annexed:
Part – 06/2008 (NH 15th)	Part – 06/2008 (NH 15th)	07/2007

ADDITIONAL INFORMATION:

1. The master plan for this area shows the area being developed as multi-family dwellings and RT-Residential further to the north and directly adjacent to 43rd Avenue. The property adjacent to the north side of 43rd Avenue is already platted and zoned CG-Commercial. The proposed zoning will coincide with the current master plan and is an appropriate step down in zoning districts from north to south. The zoning will be CG north of 43rd Avenue to RT south of 43rd Avenue then RM15, R10, and finally R5 adjacent to Walter Way.

2. North Hills 15th is directly adjacent to the proposed subdivision and was platted and zoned in 2008 with the conditions that the density for the lots zoned RM15 not exceed a 4-unit condominium.

FINDINGS:

1. The proposed zoning change is compatible with adjacent land uses. Adjacent land uses include residential development to the south and east, undeveloped land to the north and west and one rural residential single-family home adjacent to the northwest corner of the subdivision. The appropriate buffer yard widths have been included on the plat as buffer yard easements to ensure appropriate buffering of higher intensity land uses.

findings continued...

(continued)

2. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established; in particular the land the land is being platted to accommodate future development of the property.

3. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the new zoning classification at the time the property is developed.

4. The proposed zoning change would not adversely affect property in the vicinity.

5. The proposed zoning change is consistent with the general intent and purpose of this land development code.

6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and planning practice.

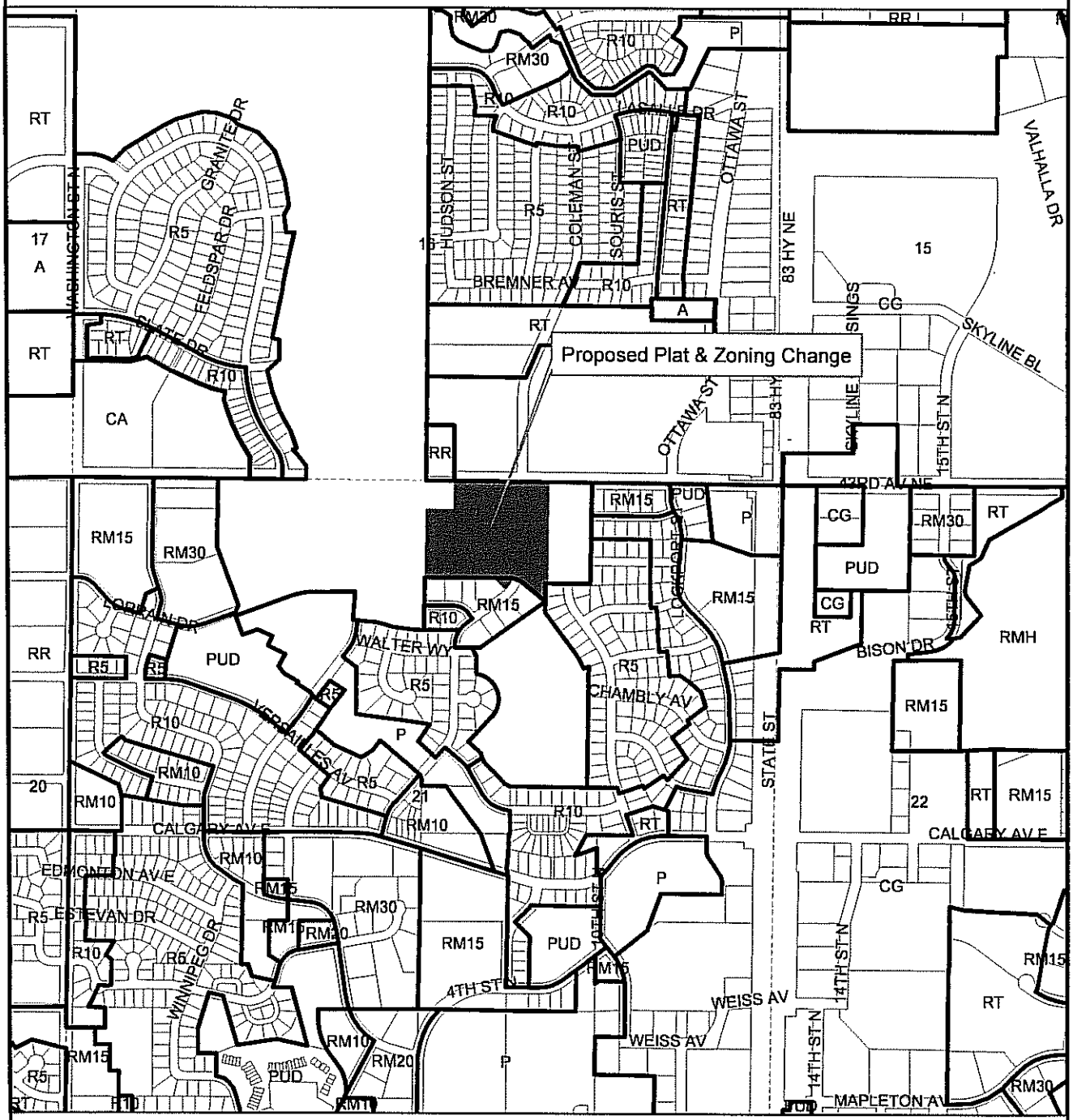
7. The zoning change is in the public interest and is not solely for the benefit of a single property owner.

8. The area being proposed for a zoning change is not identified in the Bismarck Land Use Plan.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a hearing for North Hills 16th for the zoning change from A & Conditional-RM15 to RT and Conditional-RM15.

Proposed Plat and Zoning Change (A to RT & RM)
North Hills Sixteenth Addition



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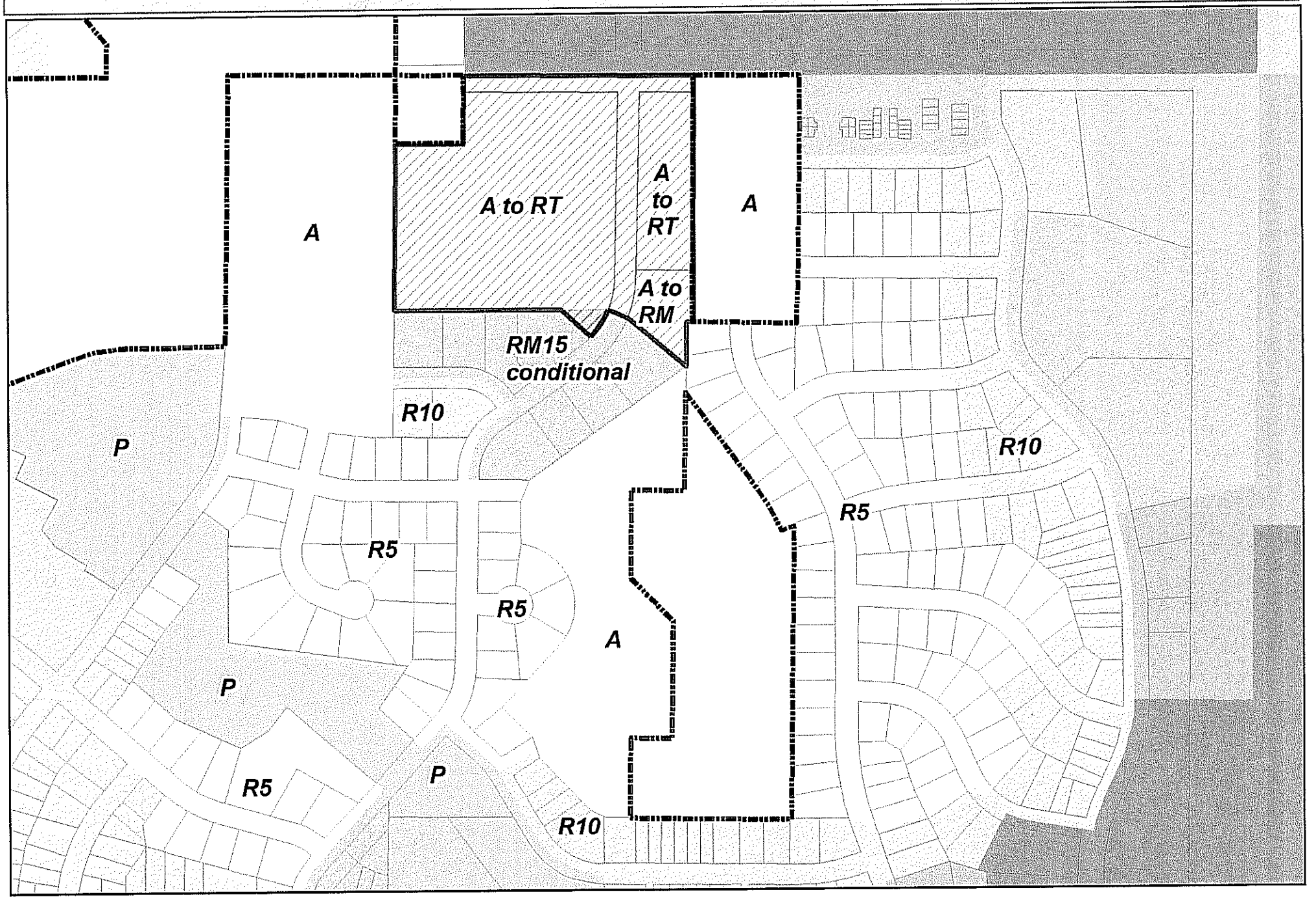
Source: City of Bismarck

North Hills 16th Addition



Feet
0 125 250 500
September 2009

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
North Hills 16th Addition – Preliminary Plat

Status: Planning Commission – Consideration	**Date:** September 23, 2009
Owner(s): Marlen Coleman & Barry Coleman	**Engineer:** Kadrmas, Lee & Jackson

Reason for Request:
Plat and zone property for future development.

Location:
Along the south side of 43rd Avenue between Normandy and Dominion Streets. (A replat of Lot 5, Block 3, North Hills 15th Addition and an unplatted portion of the west ½ of the northeast ¼ of Section 21, T139N-R80W/Hay Creek Township.)

Project Size: 14.783 acres	**Number of Lots:** 3 lots in 2 blocks
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Undeveloped	**Land Use:** Residential and office uses
Zoning: A- Agriculture RM15 – Residential	**Zoning:** RT- Residential RM15 – Residential
Uses Allowed: A- Agricultural uses RM15 – One 4-unit structure per lot	**Uses Allowed:** RT – Offices and multi-family residential RM15 – One 4-unit structure per lot
Maximum Density Allowed: A – 1 unit per 40 acres RM 15 – One 4-unit structure per lot	**Maximum Density Allowed:** RT – 30 units per acre RM15 – One 4-unit structure per lot

PROPERTY HISTORY:

Zoned: Part – 06/2008 (NH 15th)	**Platted:** Part – 06/2008 (NH 15th)	**Annexed:** 07/2007

ADDITIONAL INFORMATION:

1. The master plan for this area shows the area being developed as multi-family dwellings and RT-Residential further to the north and directly adjacent to 43rd Avenue. The property adjacent to the north side of 43rd Avenue is already platted and zoned CG-Commercial. The proposed zoning will coincide with the current master plan and is an appropriate step down in zoning districts from north to south. The zoning is CG-Commercial north of 43rd Avenue to RT south of 43rd Avenue then RM15, R10, and finally R5 adjacent to Walter Way.

2. North Hills 15th is directly adjacent to the proposed subdivision and was platted and zoned in 2008 with the conditions that the density for the lots zoned RM15 not exceed a 4-unit condominium.

FINDINGS:

1. All technical requirements for consideration of the preliminary plat have been met.

findings continued...

2. The Fringe Area Road Master Plan for this area identifies the north-south collector as Normandy Street, which lies feet west of the proposed subdivision; therefore the proposed subdivision does not impact the Fringe Area Road Master Plan for Section 21.

3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include residential development to the south and east, undeveloped land to the north and west and one rural residential single-family home adjacent to the northwest corner of the subdivision. The appropriate buffer yard widths have been included on the plat as buffer yard easements.

4. The City and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by the proposed subdivision at the time the property is developed.

5. The proposed subdivision would not adversely affect property in the vicinity.

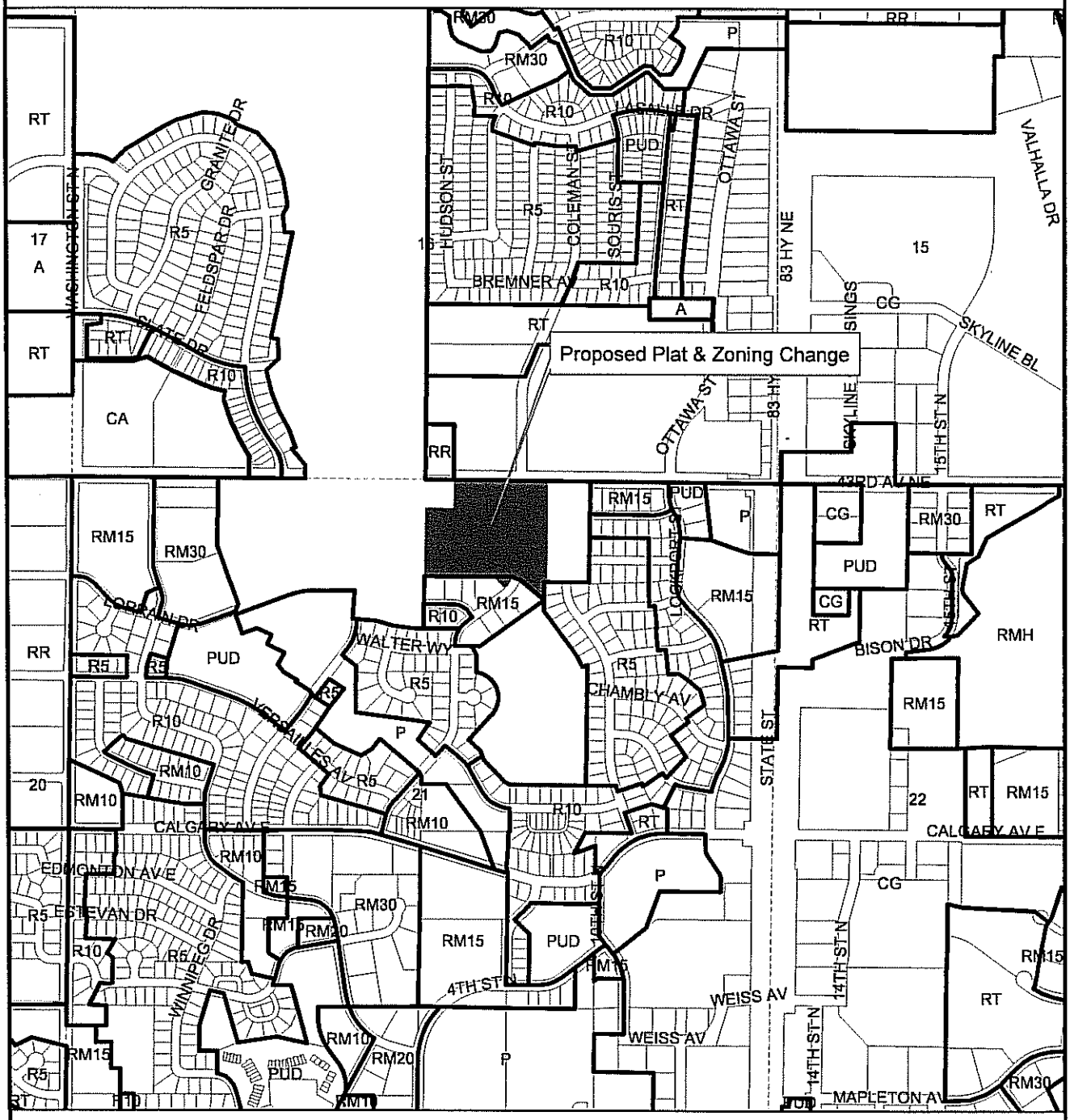
6. The proposed subdivision is consistent with the general intent and purpose of this land development code.

7. The proposed subdivision is consistent with the master plan other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends a tentative approval of the preliminary plat for North Hills 16th Addition.

Proposed Plat and Zoning Change (A to RT & RM)
North Hills Sixteenth Addition



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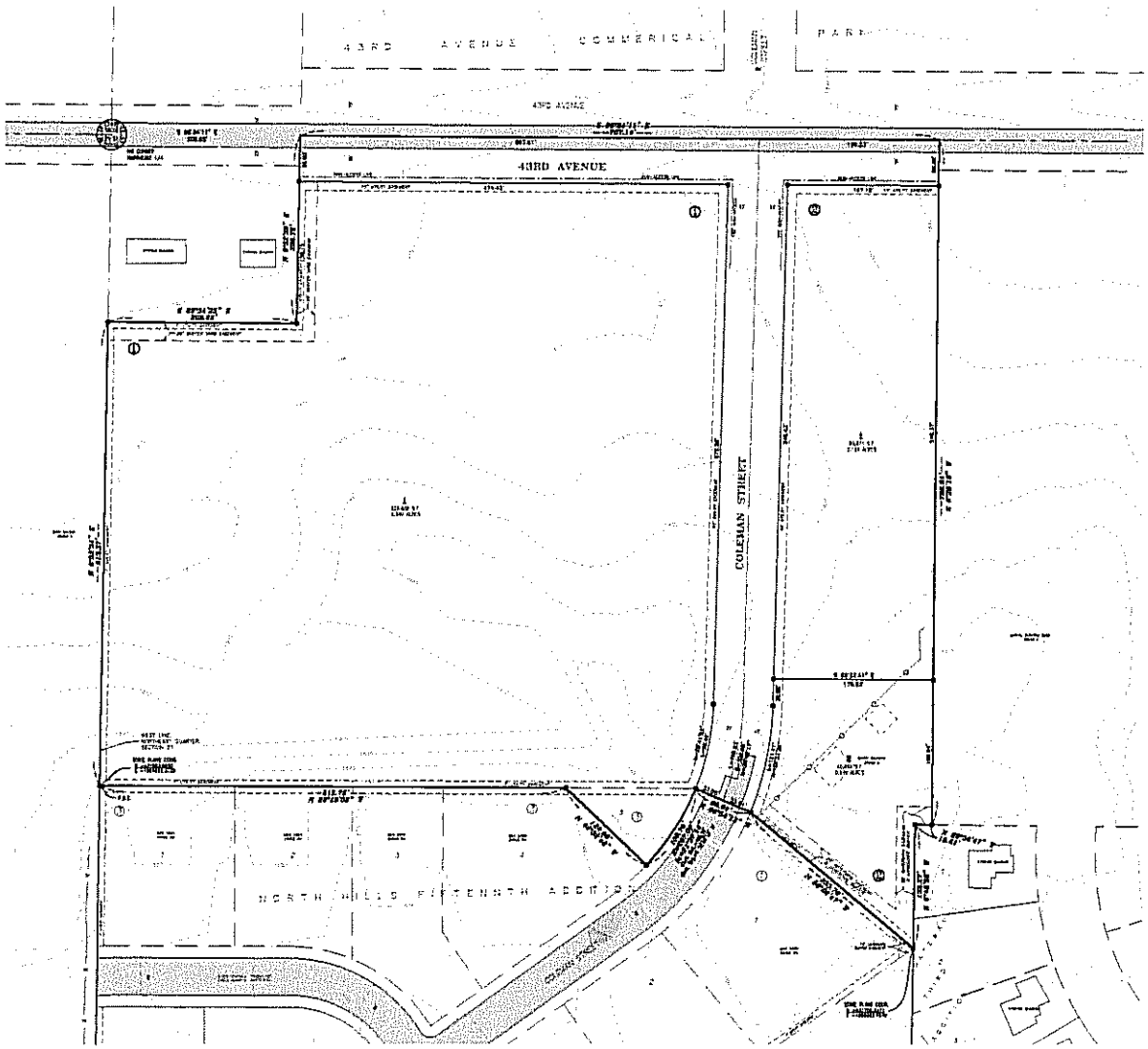
Source: City of Bismarck

PRELIMINARY PLAT

NORTH HILLS SIXTEENTH ADDITION

A REPLAT OF A LOT 5, BLOCK 3 AND AN UNPLATTED PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 139 NORTH, RANGE 80 WEST, BURLEIGH COUNTY, NORTH DAKOTA



ENGINEER:
KADRMAS, LEE & JACKSON, INC.
3257 EAST BROADWAY
BISMARCK, NORTH DAKOTA 58501
PHONE 223-8120

OWNER:
MARLETT COLEMAN
3253 21ST AVE
BALDWIN, NORTH DAKOTA 58521

LEGEND

	FIRE HYDRANT
	GATE VALVE
	CURB STOP
	SANITARY MANHOLE
	CURB INLET
	CATCH BASIN
	STORM MANHOLE
	ELECTRIC PED
	TELEPHONE PED
	CABLE TV PED
	POWER POLE
	POLE
—— F ——	FENCE
—— W ——	WATER MAIN
—— S ——	SANITARY SEWER MAIN
—— ST ——	STORM SEWER MAIN
(1) LOT # (B) LOT #	BLOCK/LOT NUMBERS
	MONUMENT FOUND
	1/2" / BLOCK / BRASS CAP
	NON-ACCESS LINE
	10' UTILITY EASEMENT

ZONING INFORMATION

CURRENT ZONING: A

PROPOSED ZONING:

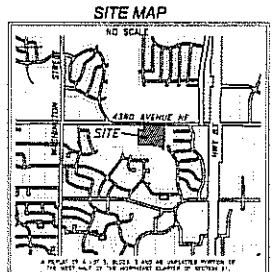
LOT 1, BLOCK 1 – RT
LOT 1, BLOCK 3 – RT
LOT 2, BLOCK 2 – RT (CONDITIONAL)

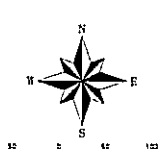
PLAT INFORMATION

- NUMBER OF LOTS: 3
- LOT ACREAGE – 12.934 ACRES
- R.O.W. ACREAGE – 1.849 ACRES
- TOTAL ACREAGE – 14.783 ACRES

SITE MAP

NO SCALE



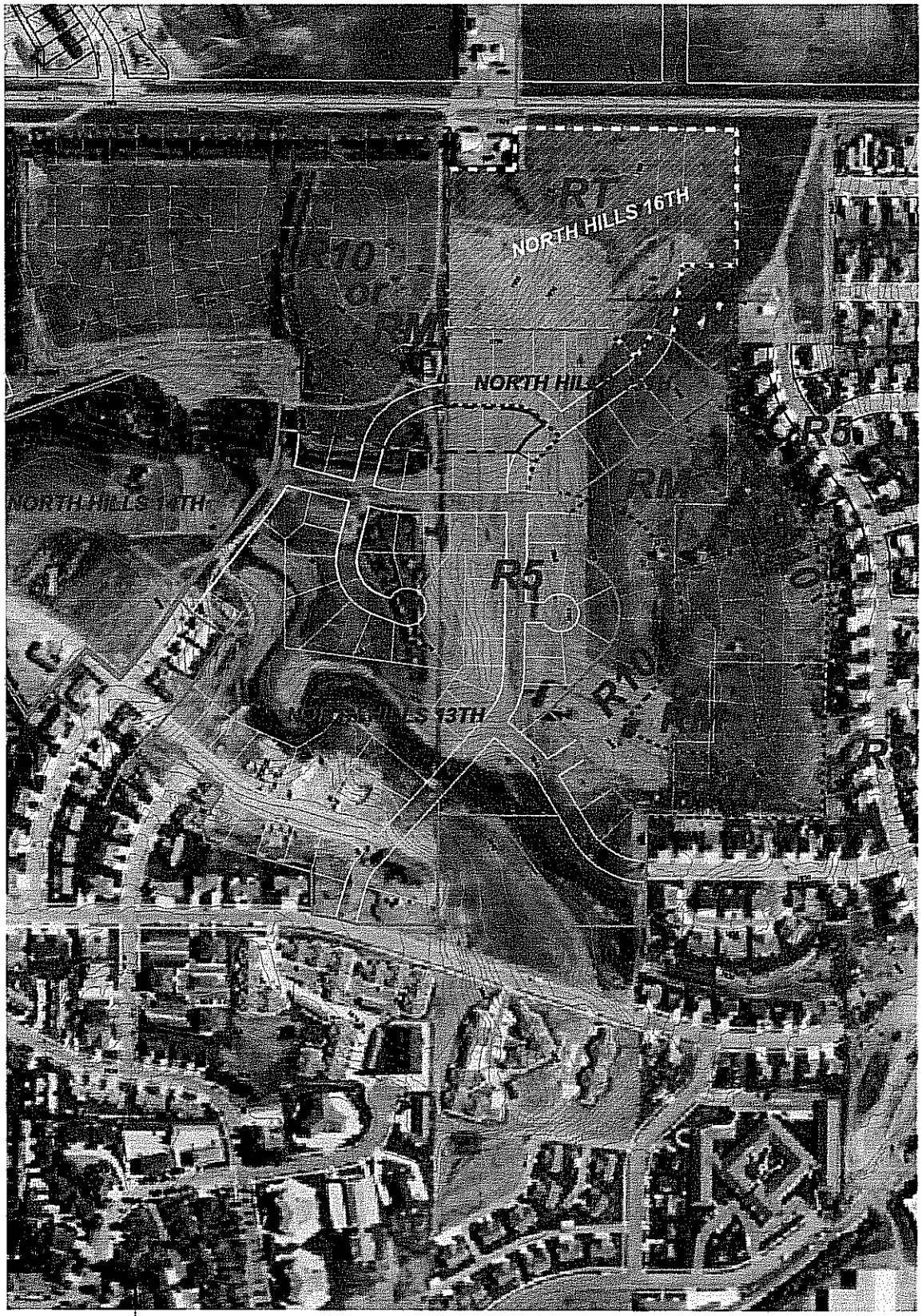


DATE: AUGUST 2009
BASIS OF BEARING – STATE PLANE
TOPOGRAPHIC DATUMN NGVD 29
BENCHMARK – F.H. 2391 ELEV. 1634.75

Kadrmas Lee & Jackson
Engineers Surveyors Planners

NORTH HILLS ESTATES WHITE

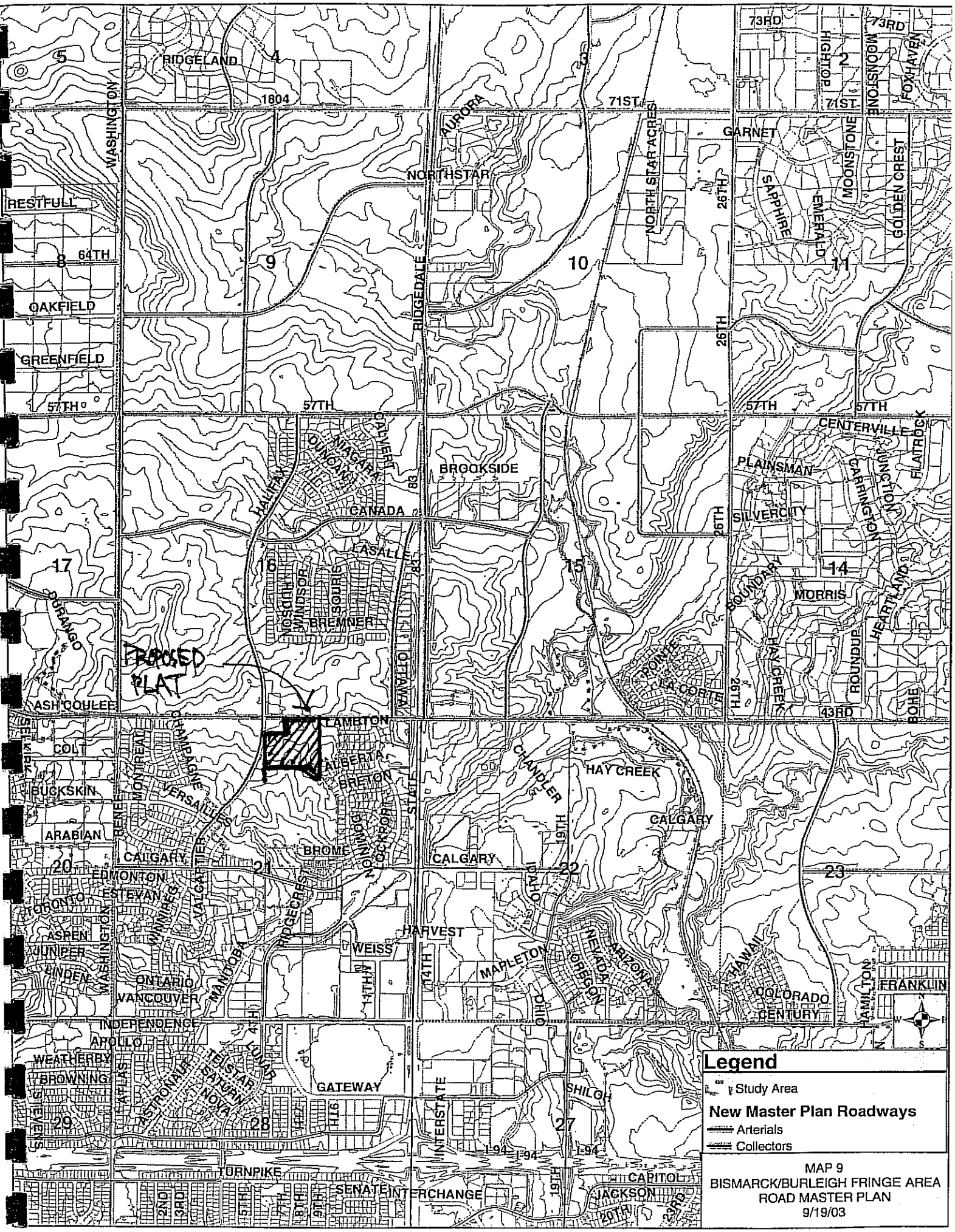
NORTH HILLS MASTER PLAN



• SCALE: 1"=300'

DATE: 8/17/09

Kadrmas Lee & Jackson
Engineers Surveyors Planners



MAP 9
BISMARCK/BURLEIGH FRINGE AREA
ROAD MASTER PLAN
9/19/03

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision – Zoning Change (CG to MA)

Status: Planning Commission – Consideration	**Date:** September 23, 2009
Owner(s): Michael Morris (owner) Matt Geiger (applicant)	**Engineer:** N/A

Reason for Request:
Rezone property to allow development of property as a light industrial use.

Location:
Along the south side of Northstar Drive east of Aurora Street.

Project Size: 2.0 acres	**Number of Lots:** 1 lot in 1 block
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Undeveloped	**Land Use:** Light industrial use (storage units)
Zoning: CG – Commercial	**Zoning:** MA – Industrial
Uses Allowed: General commercial uses	**Uses Allowed:** Light industrial uses
Maximum Density Allowed: 42 units/acre	**Maximum Density Allowed:** N/A

PROPERTY HISTORY:

Zoned: 08/79	**Platted:** 08/79

ADDITIONAL INFORMATION:

1. The portion of this subdivision north of Northstar Drive was rezoned to Conditional MA in January 2005 (Ordinance 5392).

2. The future land use component of the US Highway 83 Corridor Transportation Study (March 2006) identifies the future land use in this area as Open Space. The property immediately to the north across Northstar Drive is classified as Mixed Use and the property immediately to the west across Aurora Street is classified as Commercial. The Mixed Use 3 category allows a mix of office and industrial uses.

3. Extending the Mixed Use classification to this property would be considered a minor amendment and could be made administratively without a formal amendment to the Land Use Plan. As this is an existing platted lot, it seems reasonable to allow development on this property consistent with other properties with the same subdivision.

FINDINGS:

1. The proposed zoning change would be consistent with the Land Use Plan, as amended administratively, which would identify this area as Mixed Use (US Highway 83 Corridor Transportation Study).

2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include light industrial uses to the north, a commercial use to the west, undeveloped CG-zoned property to the south, and agricultural uses to the east.

(continued)

3. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, that portion of this subdivision immediately to the north across Northstar Drive was rezoned to Conditional MA – Industrial zoning in 2005.

4. The property would be served by South Central Regional Water District and would have access to US Highway 83 and 71st Avenue NE via interior roadways; therefore, the proposed zoning change will not place an undue burden on public services or facilities.

5. The proposed zoning change would not adversely affect property in the vicinity.

6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.

7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from CG – Commercial to Conditional MA – Industrial for Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision, as outlined in the attached draft ordinance.

ORDINANCE NO.

Introduced by	_____
First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the CG – Commercial zoning district and included in the Conditional MA – Industrial zoning district:

Lot 1, Block 4, Northstar Commercial 3rd Subdivision.

This conditional MA zoning district is subject to the following standards:

1. *Uses Permitted.* The following uses are permitted:

a. ~~Hotel-motel.~~
b. Retail group A.
c. Retail group B.
d. Service group A.
e. Service group B.
f. Wholesale group.
g. ~~Truck terminal.~~
h. Railroad or bus passenger station.
i. ~~Railroad freight station.~~
j. Industrial group A, limited to 1) storage buildings and warehouses and 2) the following uses when conducted wholly within a completely enclosed building, or within an area enclosed on all sides with a solid wall, compact hedge or security fence, not less than six feet in height:
   i. Building materials sales yard, including the sale of rock, sand and gravel.

ii. Contractors' equipment storage yard.
iii. Pipe storage yard, including sales.
iv. Feed or fuel storage yard, including sales.
v. Public utility service yard.
vi. Sale, rental or storage of oil and gas well drilling equipment.

k. Radio or television transmitting station.
l. Commercial recreation group.
m. Office-bank group.

The following uses are allowed as special uses pursuant to Section 14-03-08 hereof:

a. Temporary Christmas tree sales.
b. Temporary religious meetings.
c. Temporary circus/fair/carnival.
d. Temporary farm and garden produce sales.
e. ~~Temporary fireworks sales~~.
f. Seasonal nursery and bedding stock sales.
g. ~~Solid waste disposal facility~~.
h. ~~Airport.~~
i. ~~Recreational vehicle park.~~
j. Filling station.
k. Drive-in retail or service establishment.
l. ~~Motor vehicle parts salvage yard.~~
m. Small animal veterinary clinic.
n. Animal hospital or kennel.
o. Golf driving range.
p. ~~Junkyard.~~
q. Retail liquor sales.
r. ~~Racetracks.~~

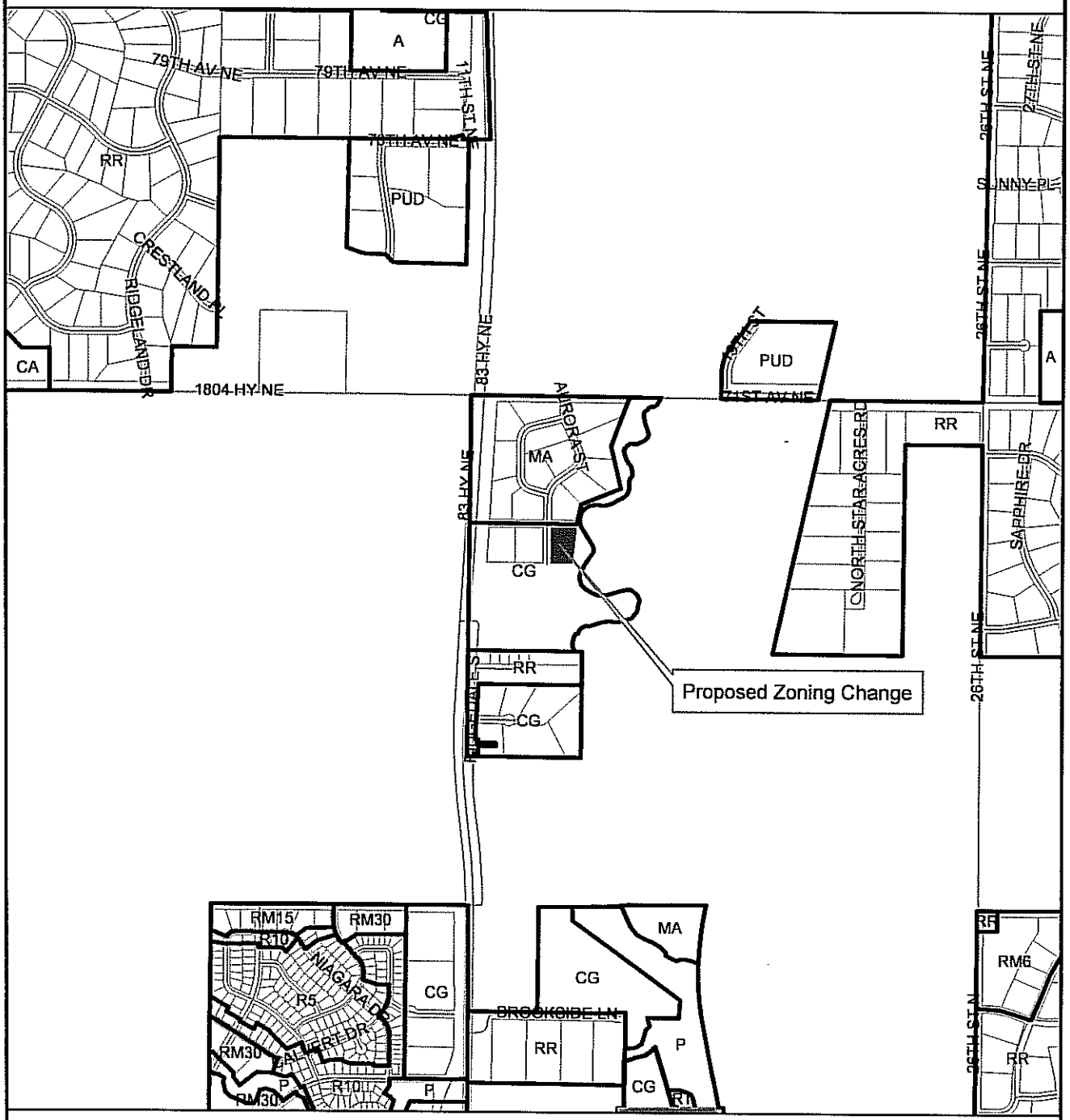
Other special uses identified in Section 14-03-08 but not included in this list shall be prohibited.

2. *Development standards.* Development standards shall be as outlined in Section 14-04-14, MA – Industrial District, of the City Code of Ordinances.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

Proposed Plat and Zoning Change (CG to MA)
Lot 1, Block 4, Northstar Commercial Park 3rd Subdivision



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Map was Updated/Created: August 31, 2009 (kdg)

Source: City of Thornton

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
Lots 1 and 3-18, Block 1, Missouri Valley Complex – Major PUD Amendment

Status: Planning Commission – Public Hearing	**Date:** September 23, 2009
Owner(s): Burleigh County	**Engineer:** None

Reason for Request:
Amend PUD to add utilities as a permitted use on all lots and to allow camping in conjunction with certain activities. Although utilities are allowed in all zoning districts, provisions for utilities were not included in the PUD ordinance. Now a cell tower is proposed for this area. To allow the cell tower, the PUD must be amended to allow utilities.

Location:
On the east edge of Bismarck, south of County Highway 10/Main Avenue and east of Bismarck Expressway.

Project Size: 478.36 acres	**Number of Lots:** 20 lots in 3 blocks
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Fairgrounds (various uses)	**Land Use:** Fairgrounds (various uses)
Zoning: PUD – Planned Unit Development	**Zoning:** PUD – Planned Unit Development
Uses Allowed: Uses specified by PUD	**Uses Allowed:** Uses specified by PUD
Maximum Density Allowed: N/A	**Maximum Density Allowed:** N/A

PROPERTY HISTORY:

Zoned: 06/06	**Platted:** 06/06	**Annexed:** 11/80

FINDINGS:

1. The City PUD ordinance indicates that the PUD shall only be amended in accordance with the provisions of Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Approval of a PUD amendment requires a majority vote of the Bismarck Planning & Zoning Commission.

2. All land uses in a PUD are specified in the PUD ordinance. If a specific type of land use is not specified, it is not allowed. To allow utilities and camping within the PUD, new language is proposed as an addition to the permitted uses for this PUD.

3. The proposed PUD amendment would not create incompatibilities with the existing adjacent land uses. Adjacent land uses include undeveloped agricultural land to the north, state prison to the west, industrial land to the southeast and south, undeveloped land to the east zoned A-Agricultural and RR-Residential, and industrial land to the northeast.

4. The property is annexed; therefore, the proposed PUD amendment would not place an undue burden on public services.

5. The proposed PUD amendment is consistent with adopted plans, policies and accepted planning practice.

(continued)

RECOMMENDATION:

Based on the above findings, staff recommends approval of the major PUD amendment for Lots1 and 3-18, Block 1, Missouri Valley Complex, in accordance with the attached PUD amendment document.

MISSOURI VALLEY COMPLEX PLANNED UNIT DEVELOPMENT
ORDINANCE NO. 5373 (Adopted November 23, 2004)
MAJOR PUD AMENDEMNT (Adopted_____)

WHEREAS, Ordinance No. 5373 was adopted by the Board of City Commissioners on November 23, 2004; and

WHEREAS, the PUD shall only be amended in accordance with the provisions of Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments); and

WHEREAS, Burleigh County has requested an amendment to the Planned Unit Development for Lots 1 and 3-18, Block 1, Missouri Valley Complex.

NOW, THEREFORE, BE IT RESOLVED by the Bismarck Planning and Zoning Commission of the City of Bismarck, North Dakota, a municipal corporation, that the request to amend the Planned Unit Development for the following described property:

Lot 1 and Lots 3-18, Block 1, Missouri Valley Complex

is hereby approved and this PUD is now subject to the following development standards:

1. *Uses Permitted.* Uses permitted include:

Lots 5, 7 & 8 – Perimeter Landscaping and Parking

To be used for landscaping and parking. The east end of Lot 8 and the south end of Lot 5 may include structures to define these locations as entrance points to the Missouri Valley Complex.

Lot 6 – Lift Station

Lot 6 is the site of an existing sanitary sewer lift station and is reserved for continuation of that use.

Lot 12 – Off-Road Motor Sports

For motorcycle events such as motocross and for other similar motor sports activities including but not limited to ATVs and snowmobiles or bicycle uses.

<u>Camping is allowed on this lot when associated with an event such as a rodeo or motocross rally.</u>

Lot ~~13~~ <u>19</u> – Roads

The interior road system is designated as a lot rather than as dedicated streets or access easements. The objective is for the county to retain ownership of the roads and provide maintenance.

Lots 1, 3, 4, 9, 10, & 11 & 13 – Nature & Recreation

The primary land use objectives for these lots are to preserve and enhance the creek and wetland areas for outdoor recreation, wildlife habitat and flood water storage. Some typical uses would include multi-use trails, environmental education, archery, community gardens, bird watching, a dog agility course, Frisbee golf, non-motorized watercraft, picnic areas and other suitable uses of a similar character. Structures within these lots may include picnic tables, picnic shelters, toilets and similar structures. Lots 3 and 9 could include structures to define these locations as entrance points to the Missouri Valley Complex.

Lots 14, 15, 16, 17, & 18 – Multi-Use Activities

An indoor arena for year-round functions such as agricultural and community education, festivals, stock shows, dances, community meetings, collector meets and other suitable activities.

A grandstand for outdoor entertainment, concerts, trade shows, fairs, collector and swap meets, car shows and other suitable activities.

Active use areas include parking for events such as exhibits, carnival rides, vendor booths, etc.

Buckstop Junction on Lot 16: There is a long-term lease agreement in this area with the Missouri Valley Historical Society. Area is reserved based on the Historical Society plan for expansion of additional streets, building sites and other "town" features. A new parking area is planned to the northwest of the "town".

A crop maze, historic period agriculture demonstrations or research related agricultural plots may occupy areas within these lots.

The NDSU / Burleigh County Extension / 4H activities and offices are on Lot 17. Part of the 4H program includes a shooting sports component. An indoor shooting range may be constructed on a portion of Lot 17.
The area is also slated for an indoor arena and parking. Part of this area, including Lot 18 may be developed as an outdoor arena for livestock or rodeo activities or other suitable uses such as tractor pulls.

Accessory uses including restroom facilities, registration booths, various concessions such as food and beverage services, beer gardens, and other services and uses normally associated with major events that bring large gatherings of people are allowed throughout the "Multi-Use Activities" area.

Any proposed changes that are inconsistent with these permitted use standards will require an amendment to this PUD.

Camping is allowed on Lot 14 when associated with an event such as a rodeo or motocross rally.

All lots – Utility Systems

For the benefit of the public, utility systems for gas, water, communication, electrical and sewer are allowed on any lot when the following factors are present:

1) The structure or use is necessary for the safe or efficient operation of the utility.
2) The utility which the structure or use serves is one available to the general public.
3) The design and location of the premises and structures are in compliance with the development standards for this PUD and other applicable codes.
4) The use complies with setback regulations specified for this PUD.
5) Wherever the lot on which the use is located adjoins a lot in a residential district, there is planted and maintained a landscaped screened planting strip no less than five feet in width adjacent to all lot boundaries so adjoining a lot in a residential district.
6) Proper fencing with lot entrances shall be erected at least six (6) feet high and maintained around all installations and structures in which there is any safety hazard whatsoever for children, provided that all structures shall be so located that such safety fence shall be so placed as not to encroach on any front yard.
7) The following uses are declared to be typical utilities:
   a. Electric transformer or substations.
   b. Electric transmission lines.
   c. Sewage lift stations.
   d. Water pumping stations.
   e. Cell phone, microwave, radio, or communication towers.

f. Gas regulator stations, excluding stations emitting noise of more than fifty (50) decibels at any property line adjacent to any residentially zoned area.

g. Gas regulator stations, excluding stations emitting noise of more than fifty (50) decibels at any property line adjacent to any residentially zoned area.

2. *Development Standards.*

The primary objective for this PUD area is to promote development consistent with the goals and objectives of the Missouri Valley Fairgrounds Site Strategic Development Plan of October 2001. A parallel objective is to allow flexibility in developing the site by placing a greater emphasis on development concepts and a lesser emphasis on a list of detailed specific uses, locations, arrangements, and numbers of buildings and structures.

Proposed developments in this area are not exempt from construction requirements of building, plumbing, electrical, and fire codes.

Building setback requirements in this PUD are as follows:
Front yard. Each lot shall have a front yard of not less than 25-feet.
Side yard. Each lot shall have side yards of not less than 15-feet.
Rear yard. Each lot shall have a rear yard of not less than 50-feet.
East Boundary. For Lots 4, 9, 10, 11, & 12 of Block 1, a building setback of 75-feet shall apply to the east boundary line of those lots.

Lot 13 contains the interior road system. Building setbacks will be measured from the boundary of this lot.

Lot coverage shall not exceed 80 per cent.

Except for utilities as allowed herein, ~~N~~ no structure shall exceed 50-feet in height.

For structures or trees within any powerline easement area, written permission from the easement owner is required.

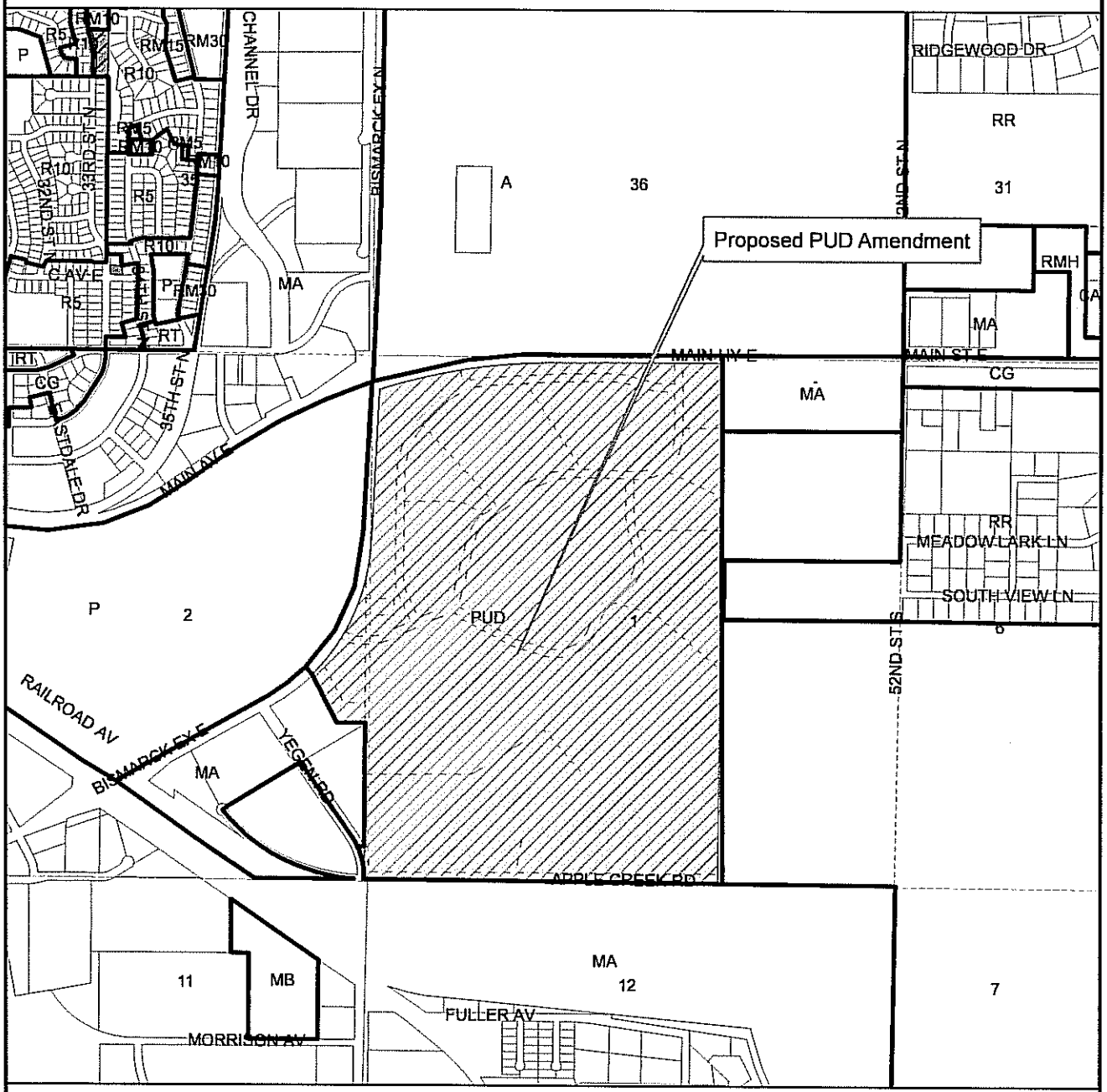
Parking lots will be subject to the requirements of Section 14-03-11 of the Code of Ordinances of the City of Bismarck, North Dakota.

Any proposed changes that are inconsistent with these development standards will require an amendment to this PUD.

3. *Changes.*

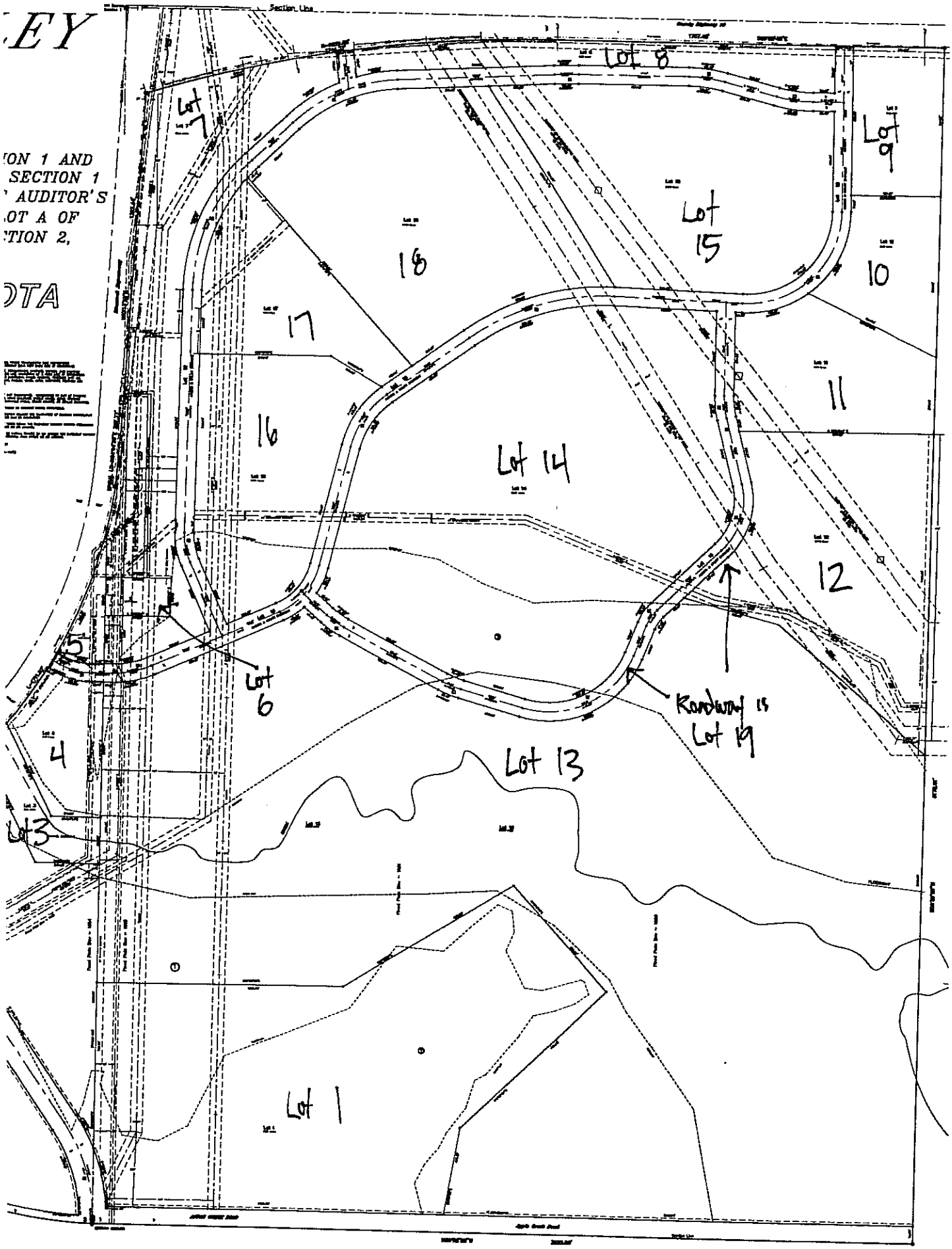
This PUD shall only be amended in accordance with Section 14-04-18(4) of the City Code of Ordinances (Planned Unit Developments). Major changes require a public hearing and a majority vote of the Bismarck Planning & Zoning Commission.

Proposed PUD Amendment
Missouri Valley Complex



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Map was Updated/Created: July 9, 2003 (kdg)

Source: City of Dunwoody


EY
ON 1 AND
SECTION 1
AUDITOR'S
OT A OF
TION 2,
OTA
Section Line
Lot 8
Lot 7
Lot 9
Lot 15
18
10
17
11
16
Lot 14
12
Lot 6
Kandwal is Lot 19
4
Lot 13
Lot 3
Lot 1

STATE OF NORTH DAKOTA
County of Burleigh
221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

June 29, 2009

Ms. Kim Lee
Planning Division
Community Development Department
City of Bismarck:

Dear Ms. Lee:

Please accept this written statement as an explanation of the zoning change request submitted by Burleigh County.

The County of Burleigh is presently negotiating with ALTELL for a cell tower site on the Missouri Valley Complex. A review of the current zoning shows the PUD for the Missouri Valley Complex Addition does not include utilities as an allowable use.

The County of Burleigh therefore desires to modify the existing PUD to include utilities as an allowable use as in all other zoning districts.

Should you have any questions regarding this application feel free to call on me.

Sincerely,

Kevin J. Glatt
Burleigh County Auditor\Treasurer

Copy: County Commission

STATE OF NORTH DAKOTA
County of Burleigh
221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

RECEIVED
AUG 27 2009

August 26, 2009

Ms. Kim Lee:
Planning Division
Community Development Department
City of Bismarck

Dear Ms. Lee:

Please accept this as a formal request to modify the PUD zoning on the Missouri Valley Complex.

Specifically, the County of Burleigh requests that temporary camping be permissible as an accessory use to the activities allowed.

Should you have any questions regarding this request feel free to call on me.

Sincerely,

Kevin J. Glatt
Burleigh County Auditor\Treasurer

Copy: County Commission

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
Part of Bismarck Airport Addition – Annexation (portion not previously annexed)

Status: Planning Commission – Final Consideration	**Date:** September 23, 2009
Owner(s): City of Bismarck (Airport) – majority of plat Lincoln-Oakes Nurseries – L53-58, B1	**Engineer:** Ulteig Engineers, Inc.

Reason for Request:
Plat, rezone and annex all property owned and occupied by the Bismarck Airport to provide platted lots to clarify legal descriptions and facilitate development.

Location:
Along the east side of Highway 1804/University Drive (all of Sections 14 & 23 and parts of Sections 10, 11, 12, 13, 15, 22 and 24, T138N-R80W/Lincoln Township).

Project Size: 2197.7 acres (entire plat) 17.72 acres (portion being annexed)	**Number of Lots:** 100 lots in 20 blocks (entire plat) 8 lots in 3 (portion being annexed)
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Airport	**Land Use:** Airport & related development
Zoning: A – Agricultural P – Public MA – Industrial MB - Industrial	**Zoning:** P – Public MA – Industrial
Uses Allowed: A – Agriculture and related uses P – Public uses MA – Light industrial uses MB – General/heavy industrial uses	**Uses Allowed:** P – Public uses MA – Light industrial uses
Maximum Density Allowed: A – 1 unit per 40 acres P – N/A MA – N/A MB – N/A	**Maximum Density Allowed:** P – N/A MA – N/A

PROPERTY HISTORY:

Zoned: Property rezoned as acquired	**Platted:** N/A	**Annexed:** Property annexed as acquired

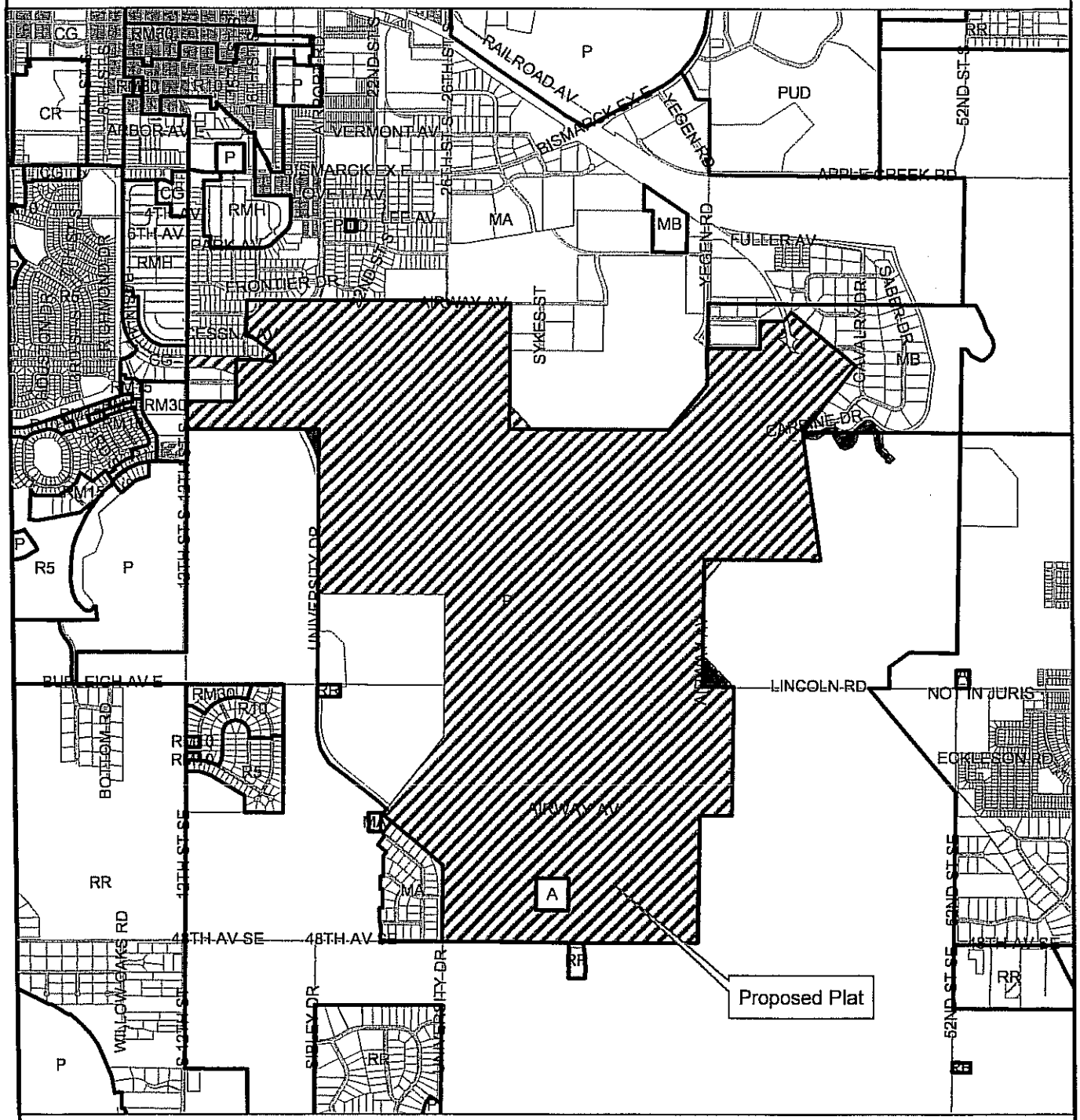
FINDINGS:

1. The proposed annexation will not adversely affect property in the vicinity of the annexation.
2. The proposed annexation is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
3. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the annexation of that portion of Bismarck Airport Addition not previously annexed (Lots 52-58, Block 1; Lot 2, Block 14; and Lot 1, Block 16).

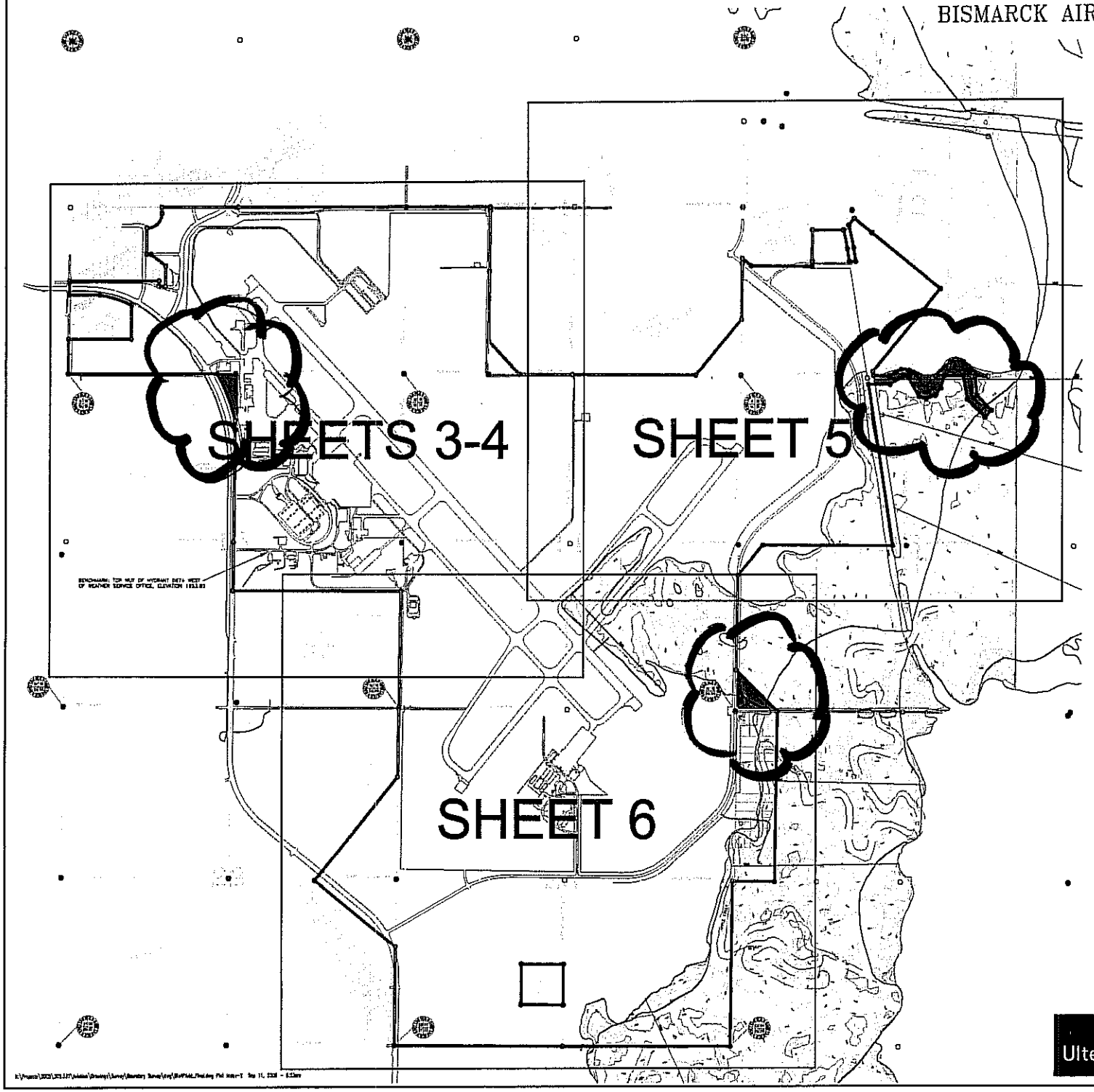
Proposed Plat, Annexation & Zoning Change (A, P, MA & MB to P & MA) Bismarck Airport Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Map was Updated/Created: September 11, 2009 (kew)

Source: City of Bismarck

BISMARCK AIRPORT ADDITION



LEGEND

- ● FOUND MONUMENT
- ○ SET MONUMENT
- FLOODWAY
- 100 YEAR FLOODPLAIN

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 19, 2005
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM NO STATE PLANE – SOUTH ZONE

AREAS		
TRACT	VOLUME FEET	ACRES
LOTS	88218452.1	2048.2
R.O.W.	8514151.8	148.5
TOTAL	95733829.0	2197.7

OWNER / DEVELOPER:
CITY OF BISMARCK / BISMARCK AIRPORT
CRAIG HAUG, AIRPORT MANAGER
3201 UNIVERSITY DRIVE, BUILDING #17
BISMARCK, NORTH DAKOTA 58501

SURVEYOR:
KEVIN G. NELSEN N.D. RLS LS-3838
ULTEIG ENGINEERS, INC.
1413 BASIN AVENUE
BISMARCK, NORTH DAKOTA 58504

N

0' 300' 600' 1200'
1"=600'

AUGUST 2009
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

SHEET 2 OF 6

DEL #208.337

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
Bismarck Airport Addition – Zoning Change (A, P, MA & MB to P & MA)

Status: Planning Commission – Public Hearing	**Date:** September 23, 2009
Owner(s): City of Bismarck (Airport) – majority of plat Lincoln-Oakes Nurseries – L53-58, B1	**Engineer:** Ulteig Engineers

Reason for Request:
Plat, rezone and plat all property owned and occupied by the Bismarck Airport to provide platted lots to clarify legal descriptions and facilitate development.

Location:
Along the east side of Highway 1804/University Drive (all of Sections 14 & 23 and parts of Sections 10, 11, 12, 13, 15, 22 and 24, T138N-R80W/Lincoln Township).

Project Size: 2197.1 acres	**Number of Lots:** 100 lots in 20 blocks
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Airport	**Land Use:** Airport & related development
Zoning: A – Agricultural P – Public MA – Industrial MB - Industrial	**Zoning:** P – Public MA – Industrial
Uses Allowed: A – Agriculture and related uses P – Public uses MA – Light industrial uses MB – General/heavy industrial uses	**Uses Allowed:** P – Public uses MA – Light industrial uses
Maximum Density Allowed: A – 1 unit per 40 acres P – N/A MA – N/A MB – N/A	**Maximum Density Allowed:** P – N/A MA – N/A

PROPERTY HISTORY:

Zoned: Property rezoned as acquired	**Platted:** N/A	**Annexed:** Property annexed as acquired

ADDITIONAL INFORMATION:

1. The land occupied by the Bismarck Municipal Airport has traditionally been zoned P – Public. With the platting of the property and the identification of specific lots around the perimeter of the plat for potential non-aeronautical uses, it was decided that a portion of the Airport property should be zoned MA – Industrial.

FINDINGS:

1. The proposed zoning change would be consistent with the Land Use Plan.
2. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established. In particular, the Airport has identified specific lots around the perimeter of the property for non-aeronautical development.

(continued)

3. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses are light industrial uses to the north, agricultural uses to the east and south, and a combination of institutional, residential, commercial and industrial uses to the west.

4. The subdivision proposed for the property is already annexed and served by municipal utilities; therefore, the proposed zoning change would not place an undue burden on public services or facilities.

5. The proposed zoning change would not adversely affect property in the vicinity.

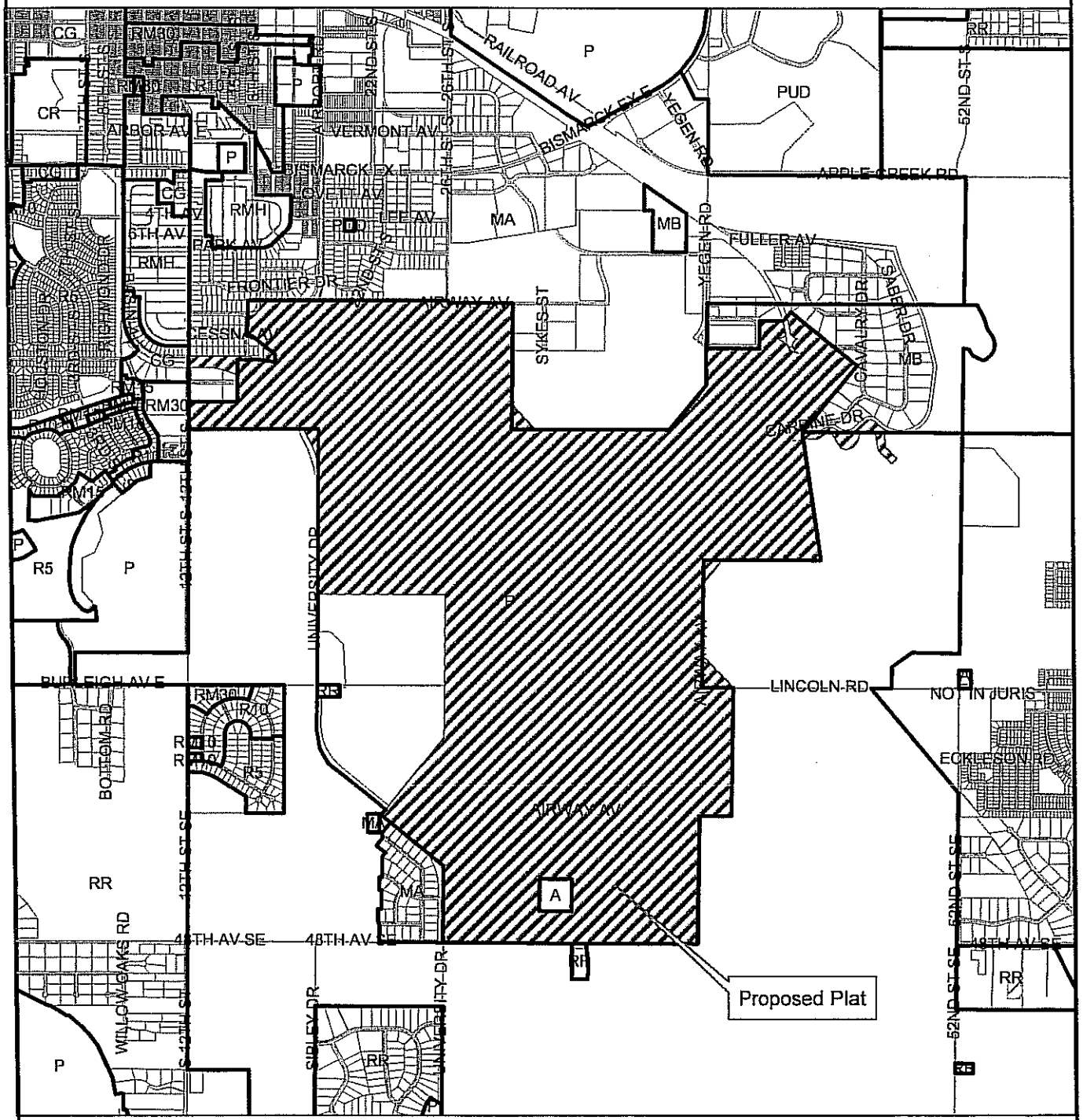
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.

7. The proposed zoning change is consistent with all adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the zoning change from A – Agricultural, P – Public, MA – Industrial and MB – Industrial to MA – Industrial on Lot 4, Block 1; Lot 1, Block 2, Lots 1 & 3, Block 7, Lot 1, Block 8, Lot 1, Block 10, Lot 1, Block 12, Lot 1, Block 15, Lots 1 & 3, Block 17, and Lots 2, 3 & 4, Block 18, and to P – Public for the remainder of the Bismarck Airport Addition plat.

Proposed Plat, Annexation & Zoning Change (A, P, MA & MB to P & MA) Bismarck Airport Addition



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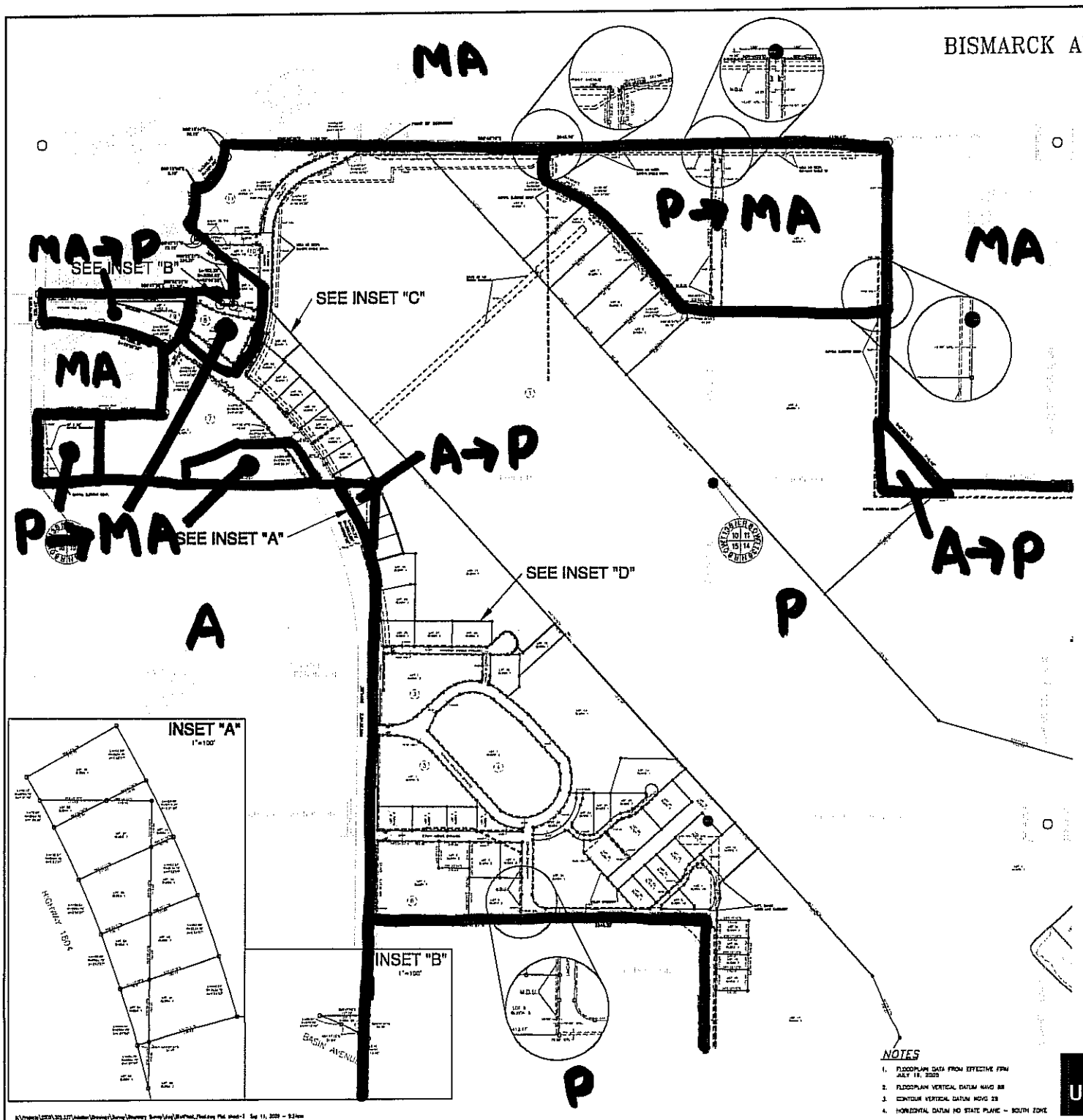
Source: City of Bismarck

BISMARCK AIRPORT ADDITION



LOT AREAS

BLOCK	LOT	S.F.	ACRES
[illegible]	1	[illegible]	[illegible]
[illegible]	2	[illegible]	[illegible]
1	3	[illegible]	[illegible]
1	4	[illegible]	[illegible]
1	5	[illegible]	[illegible]
1	6	[illegible]	[illegible]
1	7	[illegible]	[illegible]
1	8	[illegible]	[illegible]
1	9	[illegible]	[illegible]
1	10	[illegible]	[illegible]
1	11	[illegible]	[illegible]
1	12	[illegible]	[illegible]
1	13	[illegible]	[illegible]
1	14	[illegible]	[illegible]
1	15	[illegible]	[illegible]
1	16	[illegible]	[illegible]
1	17	[illegible]	[illegible]
1	18	[illegible]	[illegible]
1	19	[illegible]	[illegible]
1	20	[illegible]	[illegible]
1	21	[illegible]	[illegible]
1	22	[illegible]	[illegible]
1	23	[illegible]	[illegible]
1	24	[illegible]	[illegible]
1	25	[illegible]	[illegible]
1	26	[illegible]	[illegible]
1	27	[illegible]	[illegible]
1	28	[illegible]	[illegible]
1	29	[illegible]	[illegible]
1	30	[illegible]	[illegible]
1	31	[illegible]	[illegible]
1	32	[illegible]	[illegible]
1	33	[illegible]	[illegible]
1	34	[illegible]	[illegible]
1	35	[illegible]	[illegible]
1	36	[illegible]	[illegible]
1	37	[illegible]	[illegible]
1	38	[illegible]	[illegible]
1	39	[illegible]	[illegible]
1	40	[illegible]	[illegible]
1	41	[illegible]	[illegible]
1	42	[illegible]	[illegible]
1	43	[illegible]	[illegible]
1	44	[illegible]	[illegible]
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1	46	[illegible]	[illegible]
1	47	[illegible]	[illegible]
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1	55	[illegible]	[illegible]
1	56	[illegible]	[illegible]
1	57	[illegible]	[illegible]
1	58	[illegible]	[illegible]
1	A1	[illegible]	[illegible]
1	A2	[illegible]	[illegible]
1	1	[illegible]	[illegible]
2	1	[illegible]	[illegible]
4	1	[illegible]	[illegible]
5	1	[illegible]	[illegible]
6	1	[illegible]	[illegible]
6	2	[illegible]	[illegible]
6	3	[illegible]	[illegible]
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6	7	[illegible]	[illegible]
6	8	[illegible]	[illegible]
6	9	[illegible]	[illegible]
7	1	[illegible]	[illegible]
7	2	[illegible]	[illegible]
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7	4	[illegible]	[illegible]
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10	3	[illegible]	[illegible]
11	1	[illegible]	[illegible]
12	1	[illegible]	[illegible]
13	1	[illegible]	[illegible]
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15	1	[illegible]	[illegible]
16	1	[illegible]	[illegible]
17	1	[illegible]	[illegible]
18	1	[illegible]	[illegible]
19	1	[illegible]	[illegible]
20	1	[illegible]	[illegible]
SHEET SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE

SECTION	QUARTER	S.F.	ACRES
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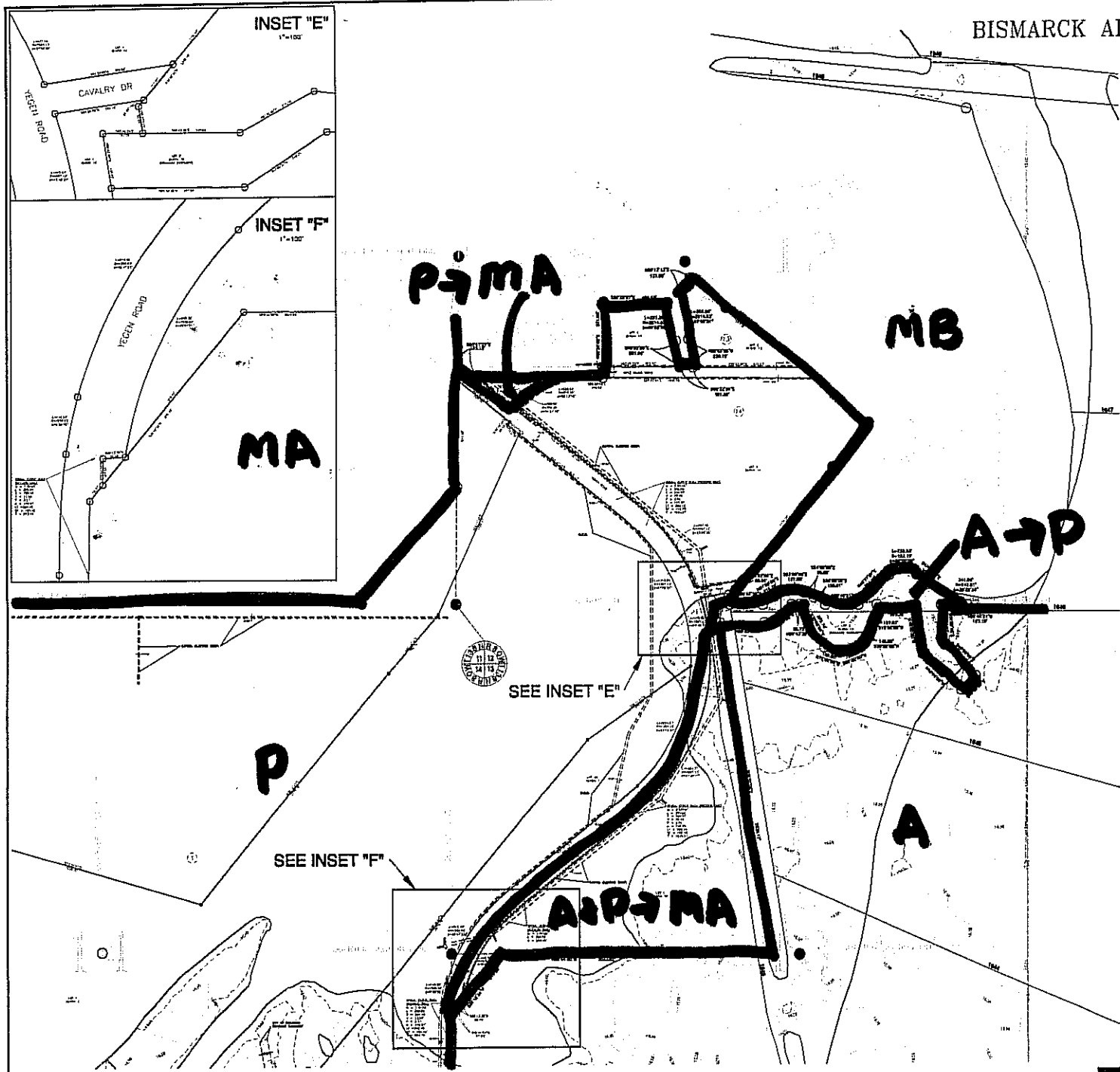
10	SE	[illegible]	[illegible]
11	SW	[illegible]	[illegible]
14	NW	[illegible]	[illegible]
14	NE	[illegible]	[illegible]
14	SW	[illegible]	[illegible]
14	SE	[illegible]	[illegible]
15	NW	[illegible]	[illegible]
15	NE	[illegible]	[illegible]
15	SW	[illegible]	[illegible]
15	SE	[illegible]	[illegible]

BISMARCK AIRPORT ADDITION



LOT AREAS			
BLOCK	LOT	S.F.	ACRES
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12	1	[illegible]	[illegible]
12	2	[illegible]	[illegible]
14	1	[illegible]	[illegible]
15	1	[illegible]	[illegible]
15	2	[illegible]	[illegible]
SHEET SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE			
SECTION	QUARTER	S.F.	ACRES
11	SE	[illegible]	[illegible]
12	SW	[illegible]	[illegible]
12	SE	[illegible]	[illegible]
13	NW	[illegible]	[illegible]
13	NE	[illegible]	[illegible]
13	SW	[illegible]	[illegible]
14	NW	[illegible]	[illegible]
14	NE	[illegible]	[illegible]
14	SW	[illegible]	[illegible]
14	SE	[illegible]	[illegible]

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 19, 2003
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM ND STATE PLANE – SOUTH ZONE

LEGEND

- FOUND MONUMENT
- SET MONUMENT
- NON-ACCESS LINE
- FLOODWAY
- 100 YEAR FLOODPLAIN

0' 150' 300' 600'
1"=300'

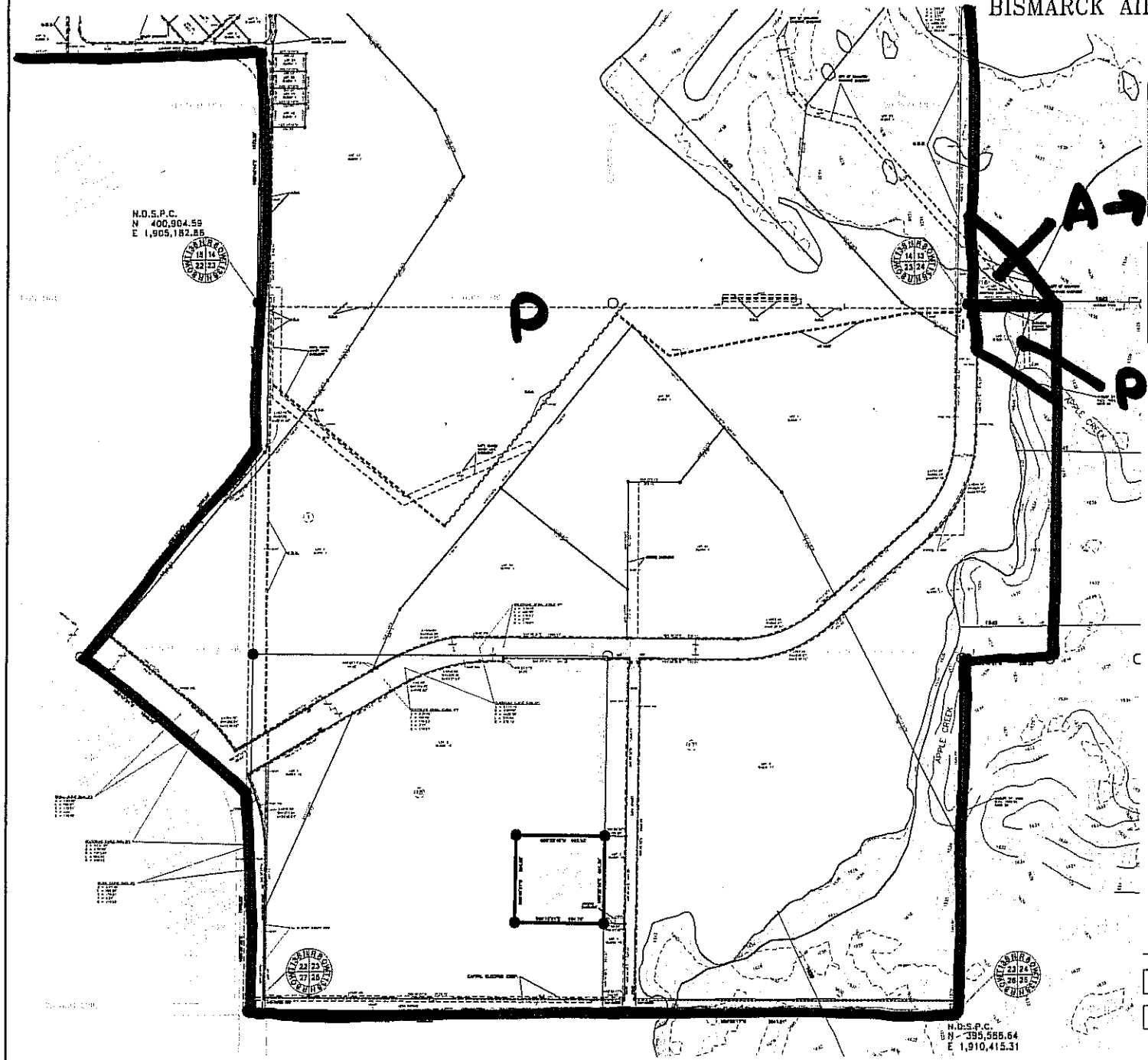
Ulteig

AUGUST 2009
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO–BISMARCK–MINNEAPOLIS–SIOUX FALLS

SHEET 5 OF 6

DEL #308.337

BISMARCK AIRPORT ADDITION



LOT AREAS			
BLOCK	LOT	S.F.	ACRES
1	10	[illegible]	19.5
1	20	[illegible]	23.7
1	21	[illegible]	26.1
16	7	[illegible]	4.8
17	1	[illegible]	6.7
17	5	[illegible]	58.3
17	3	[illegible]	131.4
18	3	[illegible]	6.7
18	2	[illegible]	121.4
1	3	[illegible]	5.4
1	4	[illegible]	2.1
SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE			
SECTION	QUARTER	S.F.	ACRES
13	SW	[illegible]	7.3
14	SW	[illegible]	160.3
14	SE	[illegible]	151.8
22	NE	[illegible]	22.9
23	NW	[illegible]	14.1
23	NW	[illegible]	151.0
23	NE	[illegible]	160.1
23	SW	[illegible]	151.1
23	SE	[illegible]	162.5
24	NW	[illegible]	25.9

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 18, 2003
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM ND STATE PLANE – SOUTH ZONE

LEGEND

- FOUND MONUMENT
- SET MONUMENT
- NON-ACCESS LINE
- FLOODWAY
- 100 YEAR FLOODPLAIN

0' 150' 300' 600'
1"=300'

AUGUST 2009
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO–BISMARCK–MINNEAPOLIS–SIOUX FALLS

SHEET 6 OF 6

ULTEIG #306.337

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:	
Title: Bismarck Airport Addition – Final Plat	
Status: Planning Commission – Public Hearing	**Date:** September 23, 2009
Owner(s): City of Bismarck (Airport) – majority of plat Lincoln-Oakes Nurseries – L53-58, B1	**Engineer:** Ulteig Engineers
Reason for Request: Plat, rezone and annex all property owned and occupied by the Bismarck Airport to provide platted lots to clarify legal descriptions and facilitate development.	
Location: Along the east side of Highway 1804/University Drive (all of Sections 14 & 23 and parts of Sections 10, 11, 12, 13, 15, 22 and 24, T138N-R80W/Lincoln Township).	
Project Size: 2197.1 acres	**Number of Lots:** 100 lots in 20 blocks
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Airport	**Land Use:** Airport & related development
Zoning: A – Agricultural P – Public MA – Industrial MB - Industrial	**Zoning:** P – Public MA – Industrial
Uses Allowed: A – Agriculture and related uses P – Public uses MA – Light industrial uses MB – General/heavy industrial uses	**Uses Allowed:** P – Public uses MA – Light industrial uses
Maximum Density Allowed: A – 1 unit per 40 acres P – N/A MA – N/A MB – N/A	**Maximum Density Allowed:** P - N/A MA – N/A

PROPERTY HISTORY:		
Zoned: Property rezoned as acquired	**Platted:** N/A	**Annexed:** Property annexed as acquired

ADDITIONAL INFORMATION:

1. Waivers have been requested for the following subdivision requirements/standards: maximum block length (some of the blocks will be further subdivided in the future); use of cul-de-sacs (there is only one cul-de-sac, fixed by function and location); and use of private roads (areas where public travel not desired or allowed and in areas where private roads are needed because of function and/or available space).

FINDINGS:

1. All technical requirements for approval of a final plat have been met.

(continued)

2. The storm water management plan has been approved by the City Engineer.

3. The proposed subdivision generally conforms to the Fringe Area Road Master Plan for the area, which identifies all of the existing roadways surrounding the Airport as arterials (Highway 1804/University Drive, Airway Avenue, Yegen Road, and Airport Road south of Airway Avenue).

4. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses are light industrial uses to the north, agricultural uses to the east and south, and a combination of institutional, residential, commercial and industrial uses to the west.

5. The proposed subdivision is already annexed and served by municipal service; therefore, the proposed subdivision would not place an undue burden on public services and facilities.

3. The proposed subdivision would not adversely affect property in the vicinity.

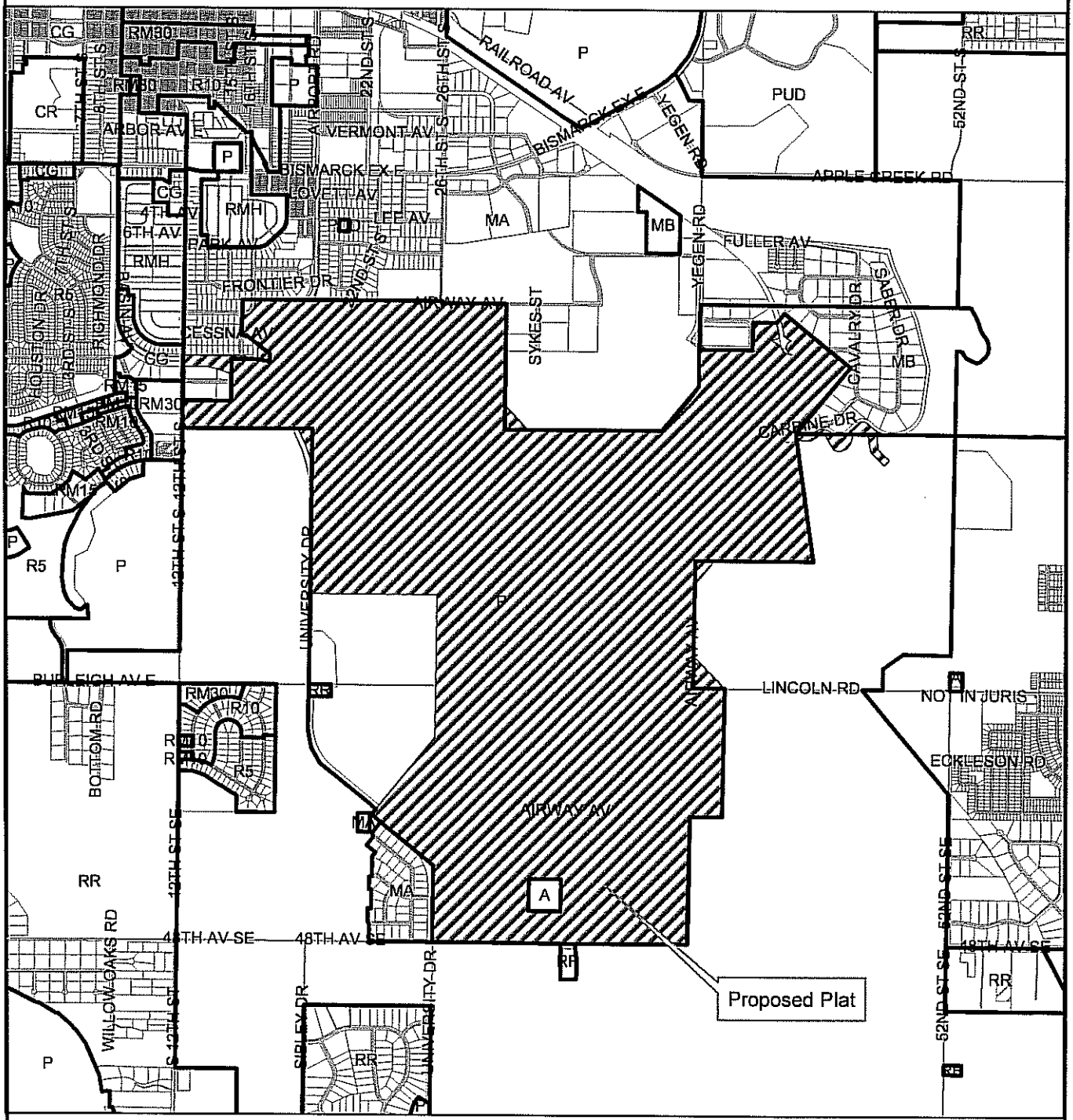
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.

6. The proposed subdivision is consistent with all adopted plans, policies and accepted planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the final plat for Bismarck Airport Addition and granting waivers from the following subdivision requirements/standards: 1) maximum block length; 2) use of cul-de-sacs; and 3) use of private roads.

Proposed Plat, Annexation & Zoning Change (A, P, MA & MB to P & MA) Bismarck Airport Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein. Map was Updated/Created: September 11, 2009 (kire)

Source: City of Bismarck

BISMARCK AIRPORT ADDITION

A REPLAT OF ALL OF LINCOLN OUTLOTS (LOTS 1-16), PARTS OF LOTS 4 & 5 OF DUEMELAND'S SUBDIVISION, UNIVERSITY DRIVE RIGHT-OF-WAY IN THE REPLAT OF LOTS 1 & 2 OF BLOCK 1 OF AIRPORT EXPRESSWAY 2ND ADDITION, PART OF LOT 20 BLOCK 4 OF APPLE CREEK INDUSTRIAL PARK, BASIN AVENUE RIGHT-OF-WAY IN AERO COMMERCIAL SUBDIVISION, PART OF LOT 1 OF BLOCK 1 OF NORTHERN PLAINS COMMERCE CENTRE ADDITION, AND A PLAT OF UNPLATTED LANDS LYING IN ALL OF SECTIONS 14 & 23 T138N-R80W AND THE NW ¼ OF SECTIONS 13, 15 & 24 T138N-R80W AND THE NE ¼ OF SECTIONS 15 & 22 T138N-R80W AND THE SW ¼ OF SECTIONS 10, 11, 12 & 13 T138N-R80W AND THE SE ¼ OF SECTIONS 10, 11, 12, 15 & 22 T138N-R80W

BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2197.71 ACRES
ZONING P & MA

DESCRIPTION

A REPLAT OF ALL OF LINCOLN OUTLOTS (LOTS 1-16), PARTS OF LOTS 4 & 5 OF DUEMELAND'S SUBDIVISION, UNIVERSITY DRIVE RIGHT-OF-WAY IN THE REPLAT OF LOTS 1 & 2 OF BLOCK 1 OF AIRPORT EXPRESSWAY 2ND ADDITION, PART OF LOT 20 BLOCK 4 OF APPLE CREEK INDUSTRIAL PARK, BASIN AVENUE RIGHT-OF-WAY IN AERO COMMERCIAL SUBDIVISION, PART OF LOT 1 OF BLOCK 1 OF NORTHERN PLAINS COMMERCE CENTRE ADDITION, AND A PLAT OF UNPLATTED LANDS LYING IN ALL OF SECTIONS 14 & 23, AND THE NW 1/4 OF SECTIONS 13, 15 & 24, AND THE NE 1/4 OF SECTIONS 15 & 22, AND THE SW 1/4 OF SECTIONS 10, 11, 12 & 13, AND THE SE 1/4 OF SECTIONS 10, 11, 12, 15 & 22, ALL WITHIN TOWNSHIP 138 NORTH RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA. BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE S89°48'18"E ON THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 2642.78 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10; THENCE S89°33'54"E ON THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 11 A DISTANCE OF 1338.43 FEET; THENCE S00°39'00"W ON THE WEST BOUNDARY OF THE SYKES ADDITION AND THE NORTHERN PLAINS COMMERCE CENTER ADDITION A DISTANCE OF 2118.76 FEET; THENCE S49°29'50"E ON SAID BOUNDARY OF THE NORTHERN PLAINS COMMERCE CENTER ADDITION A DISTANCE OF 718.45 FEET; THENCE S89°37'00"E ON SAID SOUTH BOUNDARY LINE A DISTANCE OF 2779.07 FEET; THENCE N39°12'33"E ON SAID BOUNDARY A DISTANCE OF 1143.84 FEET TO THE EAST LINE OF SECTION 11; THENCE N00°34'28"E ON SAID EAST LINE A DISTANCE OF 833.85 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF AIRWAY AVENUE; THENCE S50°47'27"E ON SAID RIGHT-OF-WAY A DISTANCE OF 167.13 FEET TO THE SOUTH LINE OF DUMELAND'S SUBDIVISION; THENCE S89°33'43"E ON SAID SOUTH LINE A DISTANCE OF 853.81 FEET; THENCE N00°34'40"E A DISTANCE OF 571.00 FEET TO THE SOUTH LINE OF LOT 6, BLOCK 1 OF DUMELAND'S THIRD SUBDIVISION; THENCE S89°33'37"E ON THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 465.52 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED 500 LINE RAILROAD; THENCE SOUTHERLY ON SAID WESTERLY RAILROAD RIGHT-OF-WAY 287.34 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 2814.93 FEET AND A CHORD BEARING S11°33'38"E; THENCE S08°33'05"E ON SAID WESTERLY RAILROAD RIGHT-OF-WAY A DISTANCE OF 251.98 FEET; THENCE S88°33'28"E A DISTANCE OF 101.49 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED 500 LINE RAILROAD; THENCE N08°33'05"W ON SAID EASTERLY RAILROAD RIGHT-OF-WAY A DISTANCE OF 220.18 FEET; THENCE NORTHERLY ON SAID EASTERLY RAILROAD RIGHT-OF-WAY 360.80 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 2814.93 FEET AND A CHORD BEARING N12°34'47"W TO THE SOUTHERLY CORNER OF LOT 8, BLOCK 1 OF APPLE CREEK INDUSTRIAL PARK SUBDIVISION; THENCE N38°12'13"E ON THE WESTERLY BOUNDARY OF THE APPLE CREEK INDUSTRIAL PARK SUBDIVISION A DISTANCE OF 137.56 FEET; THENCE S52°48'37"E ON SAID BOUNDARY A DISTANCE OF 1748.18 FEET; THENCE S38°22'00"W ON SAID BOUNDARY A DISTANCE OF 430.08 FEET; THENCE S39°12'28"W ON SAID BOUNDARY A DISTANCE OF 1248.16 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED 500 LINE RAILROAD; THENCE S08°33'05"E ON SAID RIGHT-OF-WAY LINE A DISTANCE OF 89.58 FEET TO THE SOUTH LINE OF SAID SECTION 12; THENCE S89°43'28"E ON SAID SOUTH LINE A DISTANCE OF 243.85 FEET; THENCE N01°00'00"E A DISTANCE OF 215.16 FEET; THENCE S83°00'00"E A DISTANCE OF 127.00 FEET; THENCE S84°00'00"E A DISTANCE OF 80.00 FEET; THENCE S58°00'00"E A DISTANCE OF 105.61 FEET TO THE SAID SOUTH LINE OF SECTION 12 WHICH IS ALSO THE SOUTHERLY BOUNDARY OF APPLE CREEK INDUSTRIAL PARK SUBDIVISION; THENCE S89°43'31"E ON SAID SOUTHERLY BOUNDARY A DISTANCE OF 246.39 FEET; THENCE N16°27'07"E ON SAID SOUTHERLY BOUNDARY A DISTANCE OF 324.17 FEET; THENCE EASTERLY 238.93 FEET ON SAID SOUTHERLY BOUNDARY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH, SAID CURVE HAVING A RADIUS OF 153.16 FEET AND A CHORD BEARING N82°27'07"E; THENCE S47°32'33"E ON SAID BOUNDARY A DISTANCE OF 109.85 FEET; THENCE SOUTHEASTERLY 311.82 FEET ON SAID BOUNDARY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE NORTHEAST, SAID CURVE HAVING A RADIUS OF 843.81 FEET AND A CHORD BEARING S67°45'40"E TO THE SAID SOUTH LINE OF SAID SECTION 12; THENCE N89°45'31"W ON SAID SOUTH LINE A DISTANCE OF 187.10 FEET; THENCE S03°00'00"E A DISTANCE OF 328.00 FEET; THENCE S43°00'00"W A DISTANCE OF 150.00 FEET; THENCE N45°00'00"W A DISTANCE OF 318.00 FEET; THENCE N10°00'00"W A DISTANCE OF 370.00 FEET TO THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 13; THENCE N89°43'38"W ON SAID NORTH LINE A DISTANCE OF 90.73 FEET; THENCE S37°00'00"W A DISTANCE OF 248.34 FEET; THENCE N89°43'38"W TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED 500 LINE RAILROAD; THENCE S08°33'05"E ON SAID RIGHT-OF-WAY LINE A DISTANCE OF 2538.17 FEET TO THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 13; THENCE N89°44'50"W ON SAID NORTH LINE A DISTANCE OF 2043.82 FEET; THENCE S39°12'34"W A DISTANCE OF 818.20 FEET TO THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°45'03"W ON SAID WEST LINE A DISTANCE OF 1502.19 FEET TO THE NORTHWEST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 24; THENCE S00°45'23"W ON THE EAST LINE OF SAID WEST ONE-HALF A DISTANCE OF 2640.73 FEET TO THE SOUTH LINE OF SAID NORTHWEST ONE QUARTER; THENCE N89°47'07"W ON SAID SOUTH LINE A DISTANCE OF 658.03 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE S00°46'38"W ON THE WEST LINE OF SECTION 24 A DISTANCE OF 2639.92 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE N89°50'17"W ON THE SOUTH LINE OF SECTION 23 A DISTANCE OF 2641.61 FEET TO THE SOUTH QUARTER CORNER OF SECTION 23; THENCE N89°36'53"W ON THE SOUTH LINE OF SAID SECTION 23 A DISTANCE OF 2651.63 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE N00°39'38"E ON THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 1582.03 FEET; THENCE N50°47'21"W A DISTANCE OF 1846.88 FEET; THENCE N39°12'18"E A DISTANCE OF 2088.88 FEET TO THE WEST LINE OF SECTION 23; THENCE N00°39'48"E ON SAID WEST LINE A DISTANCE OF 1057.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 23; THENCE N00°40'44"E ON THE WEST LINE OF SECTION 14 A DISTANCE OF 1872.39 FEET; THENCE N89°47'57"W A DISTANCE OF 2645.30 FEET TO THE NORTH-SOUTH QUARTER LINE OF SECTION 15; THENCE N00°39'48"E ON SAID NORTH-SOUTH QUARTER LINE A DISTANCE OF 2674.28 FEET; THENCE NORTHWESTERLY 791.73 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTHWEST, SAID CURVE HAVING A RADIUS OF 3033.59 FEET AND A CHORD BEARING N31°05'20"W TO THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 10; THENCE N89°49'30"W ON THE SAID SOUTH LINE A DISTANCE OF 2349.41 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE N00°40'26"E ON THE WEST LINE OF SECTION 10 A DISTANCE OF 232.24 FEET TO THE SOUTHWEST CORNER OF THE AIRPORT EXPRESSWAY SECOND ADDITION; THENCE S89°30'44"E ON THE SOUTH LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 668.68 FEET; THENCE N00°41'38"E ON THE EAST LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 338.38 FEET TO THE SOUTHERLY EASEMENT LINE OF ND HIGHWAY 1804; THENCE NORTHWESTERLY 333.34 FEET ON SAID EASEMENT LINE ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTHWEST, SAID CURVE HAVING A RADIUS OF 1685.39 FEET AND A CHORD BEARING N72°03'14"W; THENCE N89°49'03"W ON THE NORTH LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 480.54 FEET TO THE WEST LINE OF SECTION 10; THENCE N00°40'58"E ON SAID WEST LINE A DISTANCE OF 229.43 FEET TO THE NORTH LINE OF BASIN AVENUE AS PLATTED IN THE AERO-COMMERCIAL SUBDIVISION; THENCE S89°47'58"E ON SAID NORTH LINE A DISTANCE OF 1413.84 FEET TO THE WEST LINE OF LOT A OF BLOCK 1 OF SAID AERO-COMMERCIAL SUBDIVISION; THENCE S00°52'31"W ON SAID WEST LINE A DISTANCE OF 81.38 FEET TO THE NORTH LINE OF AIRPORT EXPRESSWAY AS PLATTED IN THE AERO-COMMERCIAL SUBDIVISION; THENCE EASTERLY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH ON SAID NORTH LINE A DISTANCE OF 107.39 FEET, SAID CURVE HAVING A RADIUS OF 2089.83 FEET AND A CENTRAL ANGLE OF 2°49'28"; THENCE N00°52'37"E ON THE EAST LINE OF SAID LOT A OF BLOCK 1 A DISTANCE OF 324.37 FEET; THENCE N50°45'37"W ON THE NORTHEASTERLY BOUNDARY LINE OF THE AERO-COMMERCIAL SUBDIVISION A DISTANCE OF 297.18 FEET; THENCE N89°47'17"W ON THE SAID BOUNDARY OF THE AERO-COMMERCIAL SUBDIVISION A DISTANCE OF 72.18 FEET TO THE EAST LINE OF PIPER STREET AS PLATTED IN THE ZHICA AND WAKE ADDITION; THENCE N00°44'47"E ON SAID EAST LINE A DISTANCE OF 414.93 FEET; THENCE S88°18'00"E ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CONTINENTAL AVENUE, WHICH WAS PLATTED AS LOCKHEED STREET IN THE SHAMROCK INDUSTRIAL PARK A DISTANCE OF 2.16 FEET; THENCE NORTHEASTERLY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE NORTHWEST ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF CONTINENTAL AVENUE A DISTANCE OF 262.10 FEET, SAID CURVE HAVING A RADIUS OF 237.85 FEET AND A CENTRAL ANGLE OF 62°33'08"; THENCE N00°15'44"E ON THE EAST LINE OF SAID CONTINENTAL AVENUE A DISTANCE OF 85.15 FEET TO THE EAST-WEST QUARTER LINE OF SECTION 10; THENCE S89°46'39"E ON SAID QUARTER LINE A DISTANCE OF 1198.78 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2207.75 ACRES, MORE OR LESS.

EXCEPT THAT TRACT OF UNPLATTED LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 23 TOWNSHIP 138 NORTH RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA. BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 23; THENCE N00°40'05"E ON THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 23 A DISTANCE OF 661.37 FEET TO THE POINT OF BEGINNING; THENCE N00°38'10"E ON SAID QUARTER LINE A DISTANCE OF 661.35 FEET; THENCE N89°36'45"W A DISTANCE OF 662.83 FEET; THENCE S00°48'47"W A DISTANCE OF 658.58 FEET; THENCE S89°13'01"E A DISTANCE OF 664.76 FEET TO THE POINT OF BEGINNING, CONTAINING 10.04 ACRES OF LAND, MORE OR LESS.

SAID PLAT CONTAINS 2197.71 ACRES OF LAND, MORE OR LESS.

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, THE _____ DAY OF _____ 2008, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION, IN WITNESS WHEREOF, WHEREON ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

WAYNE LEE YEAGER – CHAIRMAN

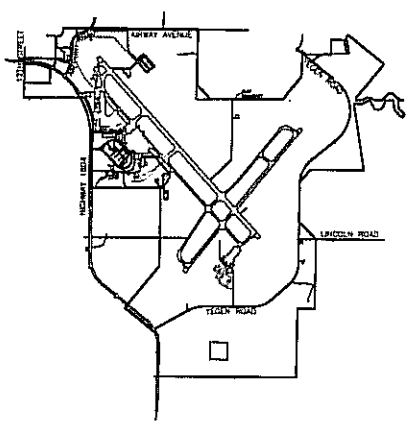
CARL D. HOKENSTAD – SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE DRAINAGE AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____2008.
ATTEST:

_____
N. C. WOCKEN – CITY ADMINISTRATOR



APPROVAL OF THE CITY ENGINEER

I, MEL BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE THE BISMARCK AIRPORT ADDITION TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

_____
MEL BULLINGER, P.E.
CITY ENGINEER

SURVEYOR'S CERTIFICATE

I, JOHN D. LINDVIG, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE REPRESENTATION OF THE BISMARCK AIRPORT ADDITION TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA. FURTHER THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.

_____
KEVIN C. NELSON N.D. RLS LS-3638
ULTEIG ENGINEERS, INC. 1413 BASIN AVENUE
BISMARCK, N.D. 58504

STATE OF NORTH DAKOTA
SS
COUNTY OF BURLEIGH
ON THIS _____ DAY OF _____ 2008, BEFORE ME PERSONALLY APPEARED KEVIN C. NELSON, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
MARLYS MEIER, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

OWNERS CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF BISMARCK, AND THE UNITED STATES OF AMERICA BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN ON THE ANNEXED PLAT HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS THE BISMARCK AIRPORT ADDITION, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND GAS DISTRIBUTION LINES AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

ALL LOTS EXCEPT LOTS 53, 54, 55, 56, 57, & 58 BLOCK 1 AS NOTED BELOW

_____
JOHN WARFORD, MAYOR
CITY OF BISMARCK 221 NORTH
5TH STREET BISMARCK, ND 58501

STATE OF NORTH DAKOTA
SS
COUNTY OF BURLEIGH
ON THIS _____ DAY OF _____ 2008, BEFORE ME PERSONALLY APPEARED JOHN WARFORD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNERS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

LOTS 53, 54, 55, 56, 57, & 58 BLOCK 1
UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR,

_____
NAME, TITLE
BUREAU OF RECLAMATION
304 EAST BROADWAY AVENUE BISMARCK, ND 58501

STATE OF NORTH DAKOTA
SS
COUNTY OF BURLEIGH
ON THIS _____ DAY OF _____ 2008, BEFORE ME PERSONALLY APPEARED JOHN WARFORD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNERS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

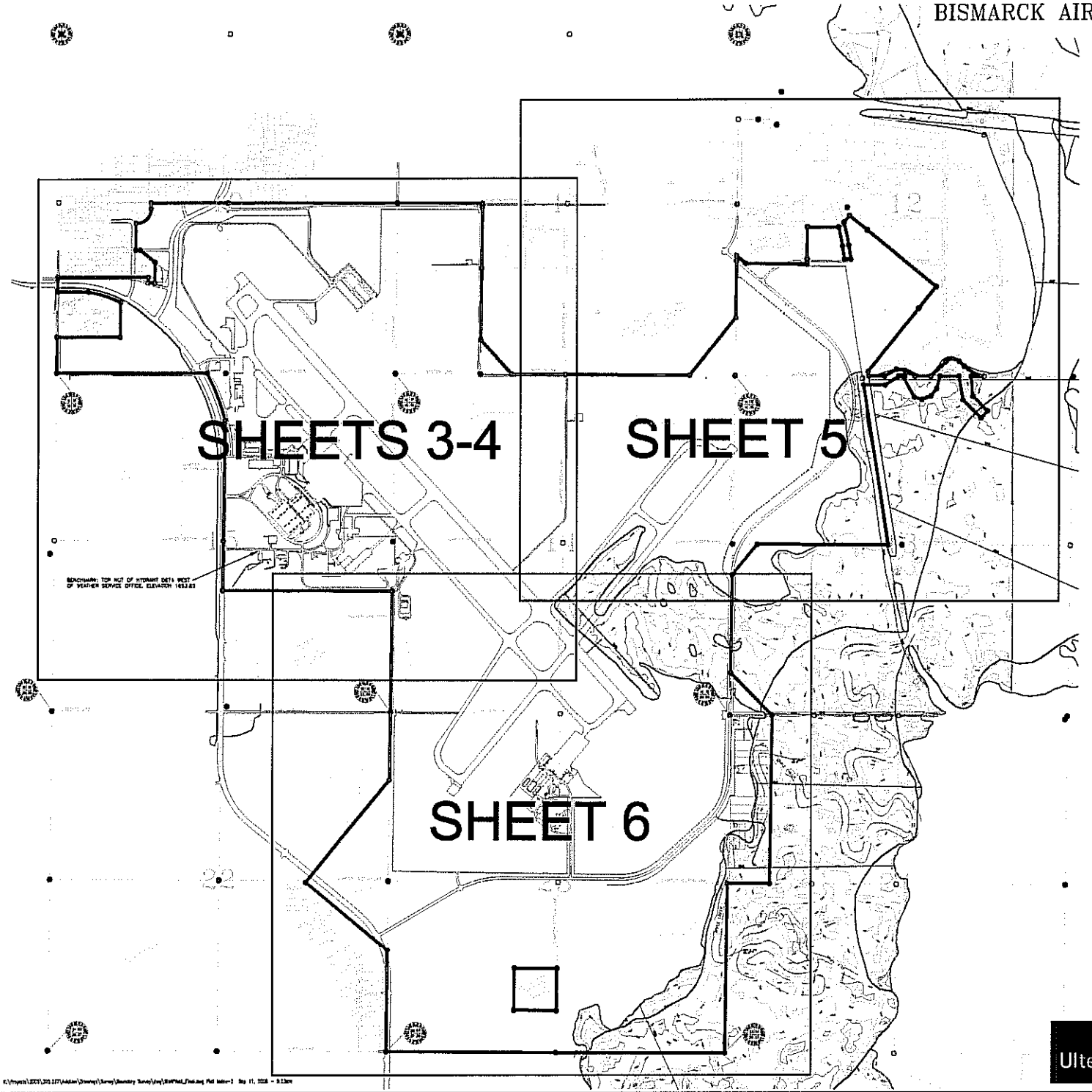
_____
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

AUGUST 2008
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

SHEET 1 OF 6

UEI: 2008.337

BISMARCK AIRPORT ADDITION



LEGEND

- ● FOUND MONUMENT
- ○ SET MONUMENT
- FLOODWAY
- 100 YEAR FLOODPLAIN

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 18, 2005
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM NO STATE PLANE - SOUTH ZONE

AREAS		
TRACT	SQUARE FEET	ACRES
LOTS	88216450.1	2018.2
R.O.W.	6514151.9	149.5
TOTAL	95733602.0	2167.7

OWNER / DEVELOPER:
CITY OF BISMARCK / BISMARCK AIRPORT
GREG HAUG, AIRPORT MANAGER
2301 UNIVERSITY DRIVE, BUILDING #17
BISMARCK, NORTH DAKOTA 58501

SURVEYOR:
KEVIN G. NELSON N.D. RLS LS-3638
ULTEIG ENGINEERS, INC.
1413 BASIN AVENUE
BISMARCK, NORTH DAKOTA 58504

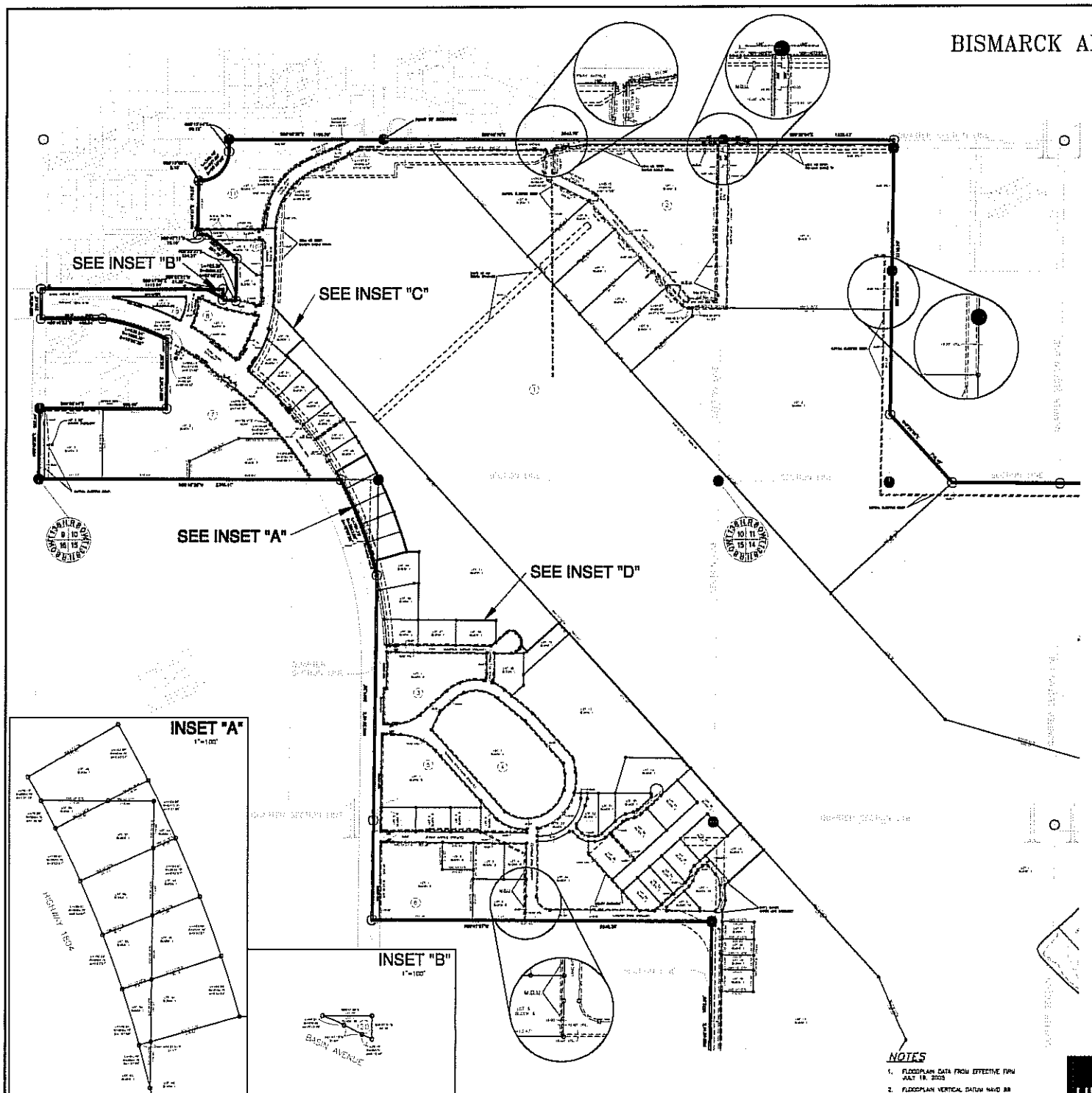
0' 300' 600' 1200'
1"=600'

AUGUST 2009
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

SHEET 2 OF 6

ULT: J308.337

BISMARCK AIRPORT ADDITION



LOT AREAS			
BLOCK	LOT	S.F.	ACRES
1	1	[illegible]	[illegible]
1	2	[illegible]	[illegible]
1	3	[illegible]	[illegible]
1	4	[illegible]	[illegible]
1	5	[illegible]	[illegible]
1	6	[illegible]	[illegible]
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4	18	[illegible]	[illegible]
4	19	[illegible]	[illegible]
83	1	[illegible]	[illegible]
SHEET SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE			
SECTION	QUARTER	S.F.	ACRES
10	SW	[illegible]	[illegible]
10	SE	[illegible]	[illegible]
11	SW	[illegible]	[illegible]
14	NW	[illegible]	[illegible]
14	NE	[illegible]	[illegible]
14	SW	[illegible]	[illegible]
14	SE	[illegible]	[illegible]
15	NW	[illegible]	[illegible]
15	NE	[illegible]	[illegible]
15	SE	[illegible]	[illegible]

LEGEND

- FOUND MONUMENT
- SET MONUMENT
- NON-ACCESS LINE
- FLOODWAY
- 100 YEAR FLOODPLAIN

N

0' 150' 300' 600'
1"=300'

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 19, 2003
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM NO STATE PLANE – SOUTH ZONE

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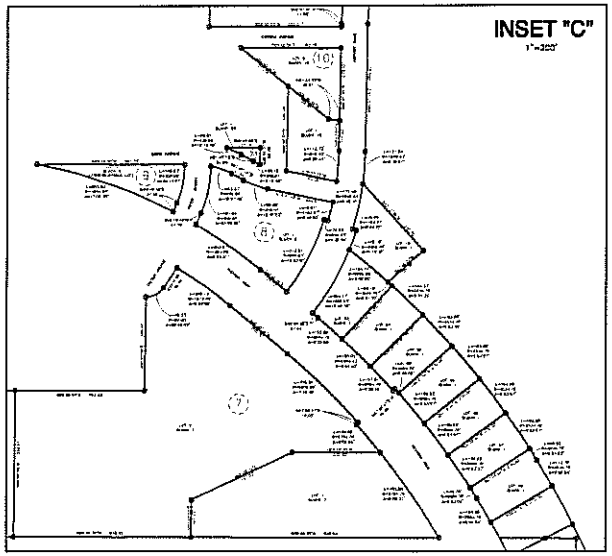
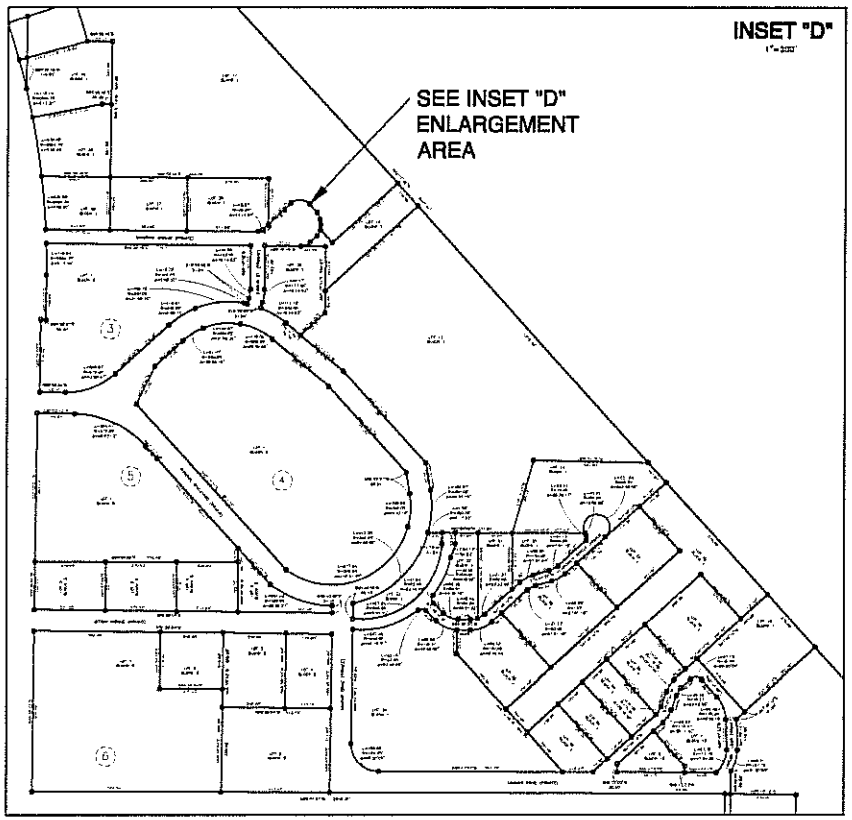
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

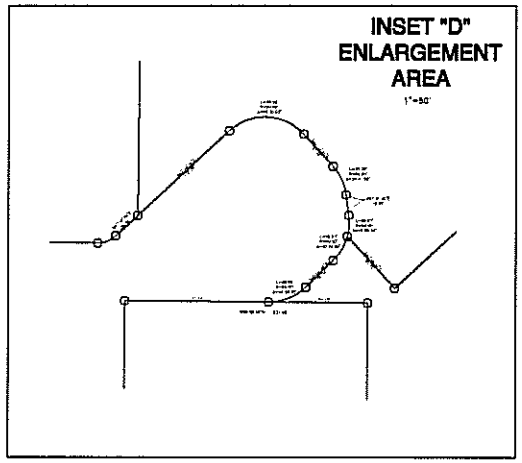
SHEET 3 OF 6

UEI: #208.337

BISMARCK AIRPORT ADDITION







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LEGEND

- ● FOUND MONUMENT
- ○ SET MONUMENT

0' 100' 200' 400'
1"=200'

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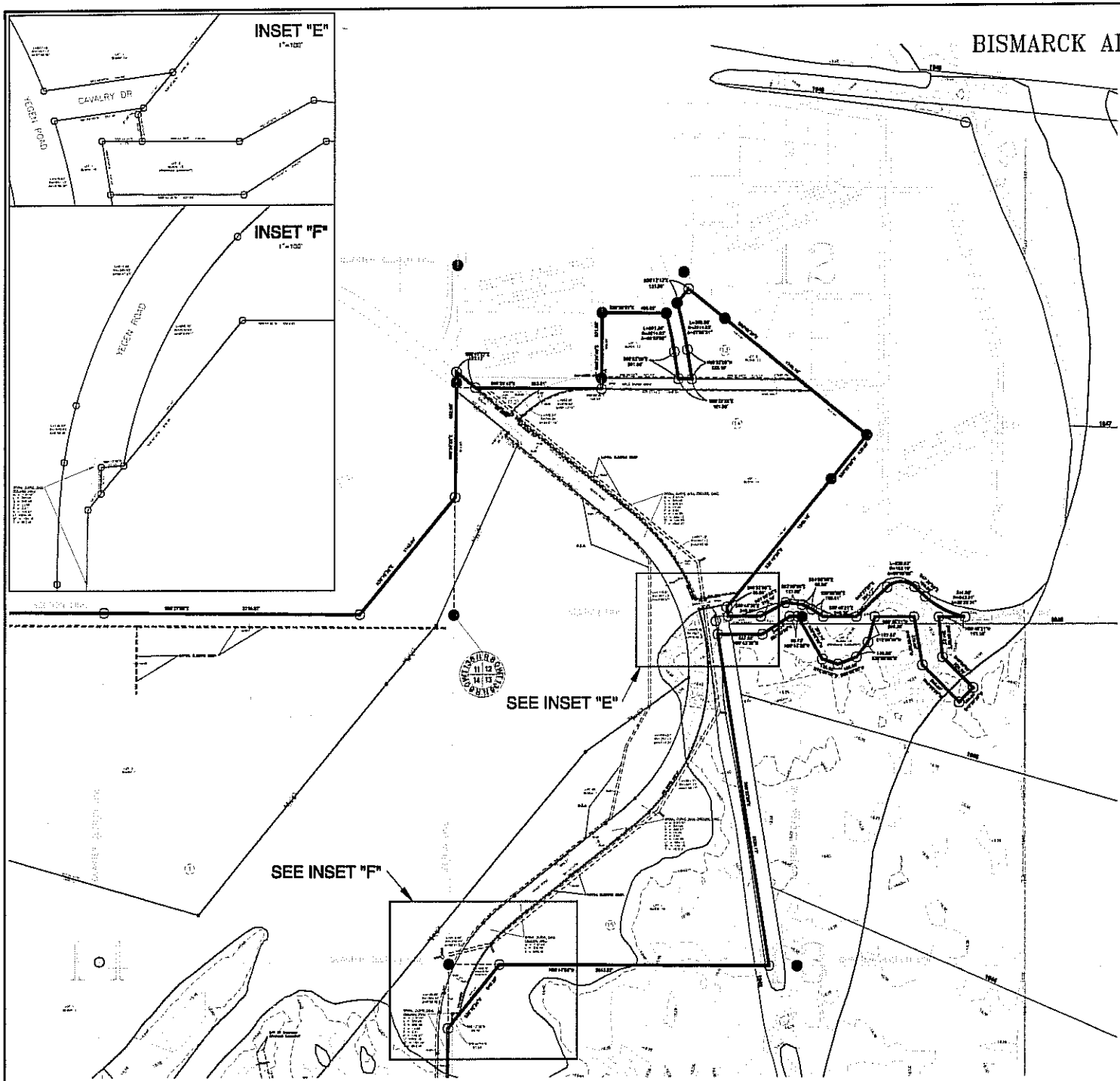
FARGO • BISMARCK • MINNEAPOLIS • SIOUX FALLS

SHEET 4 OF 6

ULI: #308.337

BISMARCK AIRPORT ADDITION



LOT AREAS			
BLOCK	LOT	S.F.	ACRES
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SHEET SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE			
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14	SW	[illegible]	[illegible]
14	SE	[illegible]	[illegible]

NOTES

1. FLOODPLAIN DATA FROM EFFECTIVE FIRM JULY 18, 2005
2. FLOODPLAIN VERTICAL DATUM NAVD 88
3. CONTOUR VERTICAL DATUM NGVD 29
4. HORIZONTAL DATUM ND STATE PLANE – SOUTH ZONE

LEGEND

- FOUND MONUMENT
- SET MONUMENT
- NON-ACCESS LINE
- FLOODWAY
- 100 YEAR FLOODPLAIN

0' 150' 300' 600'
1"=300'

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AUGUST 2009
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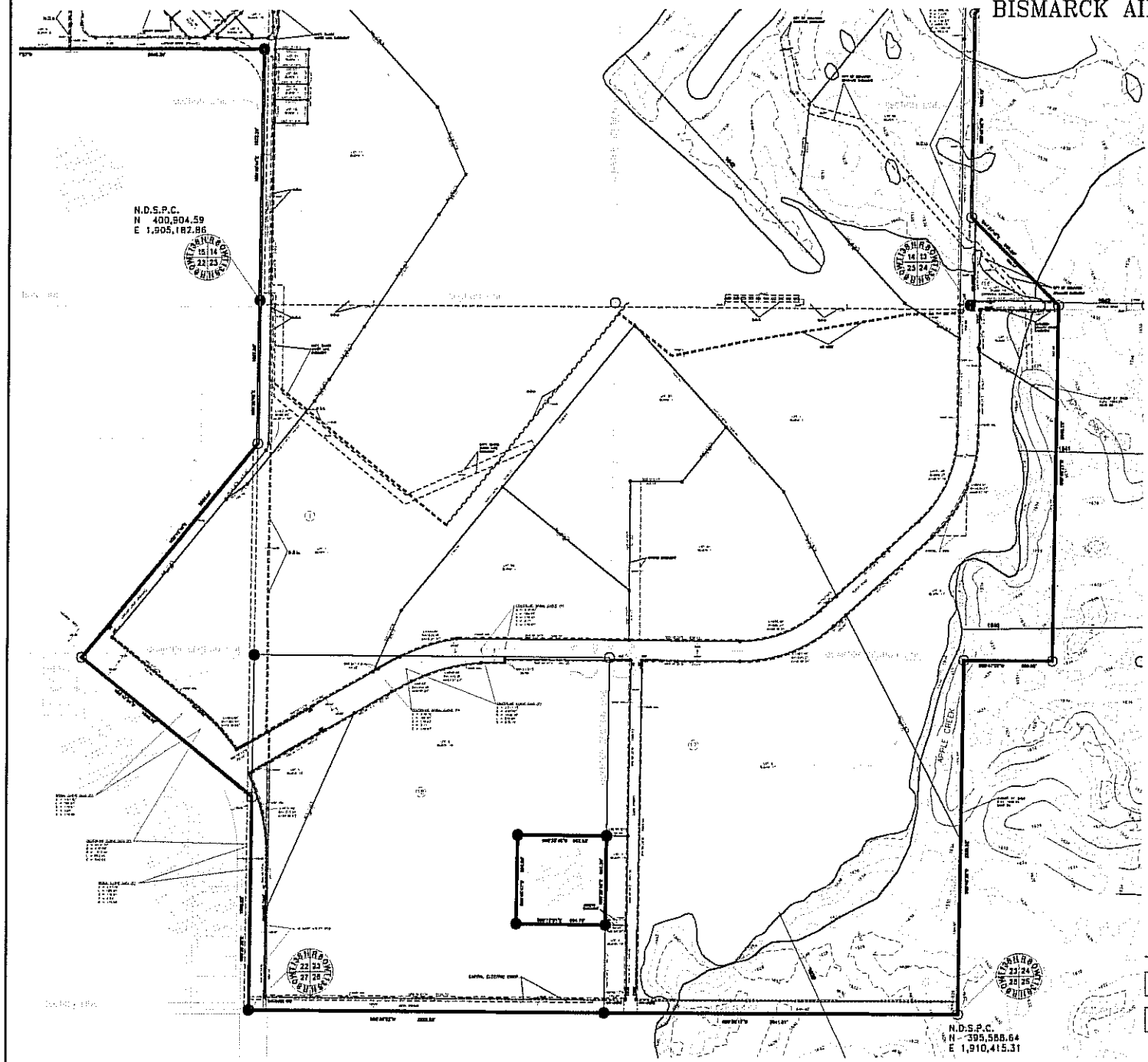
ULTEIG ENGINEERS, INC
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

SHEET 5 OF 6

ULI; 2308.337

BISMARCK AIRPORT ADDITION



LOT AREAS			
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SHEET SUBTOTAL		[illegible]	[illegible]

PLAT QUARTER SECTION ACREAGE			
SECTION	QUARTER	S.F.	ACRES
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- FOUND MONUMENT
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- NON-ACCESS LINE
- FLOODWAY
- 100 YEAR FLOODPLAIN

0' 150' 300' 600'
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AUGUST 2009
PREPARED BY
ULTEIG ENGINEERS, INC
FARGO-BISMARCK-MINNEAPOLIS-SIOUX FALLS

SHEET 6 OF 6

LEG: 6208.337

PRELIMINARY PLAT

BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P

DESCRIPTION

A TRACT OF LAND LYING IN PARTS OF SECTIONS 10, 11, 12, 13, 14, 15, 22, 23 AND 24 - TOWNSHIP 138 NORTH RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA. BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 10; THENCE S89°45'18"E ON THE NORTH LINE OF SAID SOUTHEAST ONE-QUARTER A DISTANCE OF 2642.79 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10; THENCE S89°39'54"E ON THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 11 A DISTANCE OF 1326.43 FEET; THENCE S00°39'00"W ON THE WEST BOUNDARY OF THE STREET ADDITION AND THE NORTHERN PLAINS COMMERCE CENTER ADDITION A DISTANCE OF 2116.78 FEET; THENCE S43°29'30"E ON SAID BOUNDARY OF THE NORTHERN PLAINS COMMERCE CENTER ADDITION A DISTANCE OF 718.45 FEET; THENCE S89°39'00"E ON SAID SOUTH BOUNDARY LINE A DISTANCE OF 3779.07 FEET; THENCE N38°12'33"E ON SAID BOUNDARY A DISTANCE OF 1142.84 FEET TO THE EAST LINE OF SECTION 11; THENCE N00°34'26"E ON SAID EAST LINE A DISTANCE OF 952.93 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF AIRPORT AVENUE; THENCE S30°47'27"E ON SAID RIGHT-OF-WAY A DISTANCE OF 187.13 FEET TO THE SOUTH LINE OF DUEMELLAND'S SUBDIVISION; THENCE S89°25'43"E ON SAID SOUTH LINE A DISTANCE OF 953.81 FEET; THENCE N00°24'40"E A DISTANCE OF 571.00 FEET TO THE SOUTH LINE OF LOT 6, BLOCK 1 OF DUEMELLAND'S THIRD SUBDIVISION; THENCE S89°25'57"E ON THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 445.83 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SOO LINE RAILROAD; THENCE SOUTHERLY ON SAID WESTERLY RAILROAD RIGHT-OF-WAY 257.26 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 2814.93 FEET AND A CHORD BEARING S11°53'26"E; THENCE S08°33'05"E ON SAID WESTERLY RAILROAD RIGHT-OF-WAY A DISTANCE OF 201.24 FEET; THENCE S86°32'26"E A DISTANCE OF 101.83 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SOO LINE RAILROAD; THENCE N08°33'05"W ON SAID EASTERLY RAILROAD RIGHT-OF-WAY A DISTANCE OF 220.18 FEET; THENCE NORTHERLY ON SAID EASTERLY RAILROAD RIGHT-OF-WAY 240.80 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE WEST, SAID CURVE HAVING A RADIUS OF 2914.93 FEET AND A CHORD BEARING N11°31'49"W TO THE SOUTHERLY CORNER OF LOT 5, BLOCK 1 OF APPLE CREEK INDUSTRIAL PARK SUBDIVISION; THENCE N39°13'13"E ON THE WESTERLY BOUNDARY OF THE APPLE CREEK INDUSTRIAL PARK SUBDIVISION A DISTANCE OF 137.59 FEET; THENCE S50°18'33"E ON SAID BOUNDARY A DISTANCE OF 1749.16 FEET; THENCE S38°02'00"W ON SAID BOUNDARY A DISTANCE OF 430.06 FEET; THENCE S39°17'28"W ON SAID BOUNDARY A DISTANCE OF 1749.16 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SOO LINE RAILROAD; THENCE S08°33'05"E ON SAID RIGHT-OF-WAY LINE A DISTANCE OF 6834 FEET TO THE SOUTH LINE OF SAID SECTION 12; THENCE S89°13'26"E ON SAID SOUTH LINE A DISTANCE OF 345.25 FEET; THENCE N41°00'00"E A DISTANCE OF 215.19 FEET; THENCE S43°00'00"E A DISTANCE OF 127.00 FEET; THENCE S44°00'00"E A DISTANCE OF 80.00 FEET; THENCE S36°00'00"E A DISTANCE OF 105.41 FEET TO THE SAID SOUTH LINE OF SECTION 13 WHICH IS ALSO THE SOUTHERLY BOUNDARY OF APPLE CREEK INDUSTRIAL PARK SUBDIVISION; THENCE S89°45'11"E ON SAID SOUTHERLY BOUNDARY A DISTANCE OF 318.39 FEET; THENCE N41°21'00"E ON SAID SOUTHERLY BOUNDARY A DISTANCE OF 331.47 FEET; THENCE EASTERLY 294.83 FEET ON SAID SOUTHERLY BOUNDARY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH, SAID CURVE HAVING A RADIUS OF 153.19 FEET AND A CHORD BEARING N89°27'01"E; THENCE S47°23'57" ON SAID BOUNDARY A DISTANCE OF 108.95 FEET; THENCE SOUTHEASTERLY 341.89 FEET ON SAID BOUNDARY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE NORTHEAST, SAID CURVE HAVING A RADIUS OF 842.81 FEET AND A CHORD BEARING S42°15'42"E TO THE SAID SOUTH LINE OF SAID SECTION 13; THENCE N89°45'11"W ON SAID SOUTH LINE A DISTANCE OF 197.16 FEET; THENCE S03°00'00"E A DISTANCE OF 228.00 FEET; THENCE S43°00'26"W A DISTANCE OF 158.00 FEET; THENCE N43°00'00"W A DISTANCE OF 394.00 FEET; THENCE N10°00'00"W A DISTANCE OF 370.00 FEET TO THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 13; THENCE N89°03'38"W ON SAID NORTH LINE A DISTANCE OF 68.93 FEET; THENCE S57°00'00"W A DISTANCE OF 219.24 FEET; THENCE N89°23'38"W TO THE WESTERLY RIGHT-OF-WAY LINE OF THE ABANDONED SOO LINE RAILROAD; THENCE S08°33'05"E ON SAID RIGHT-OF-WAY LINE A DISTANCE OF 2538.17 FEET TO THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 13; THENCE N89°44'38"W ON SAID NORTH LINE A DISTANCE OF 2042.83 FEET; THENCE S38°13'34"W A DISTANCE OF 619.20 FEET TO THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°15'02"W ON SAID WEST LINE A DISTANCE OF 1303.19 FEET TO THE NORTHWEST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 24; THENCE S00°45'27"W ON THE EAST LINE OF SAID WEST ONE-HALF A DISTANCE OF 2640.72 FEET TO THE SOUTH LINE OF SAID NORTHWEST ONE QUARTER; THENCE N89°47'07"W ON SAID SOUTH LINE A DISTANCE OF 838.22 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE S00°48'38"W ON THE WEST LINE OF SECTION 24 A DISTANCE OF 2639.53 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE N89°50'11"W ON THE SOUTH LINE OF SECTION 23 A DISTANCE OF 5411.81 FEET TO THE SOUTH QUARTER CORNER OF SECTION 23; THENCE N00°39'30"E ON THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 23 A DISTANCE OF 1322.71 FEET; THENCE N89°36'43"W A DISTANCE OF 847.86 FEET; THENCE S00°39'34"W A DISTANCE OF 641.29 FEET; THENCE N89°36'27"W A DISTANCE OF 1990.00 FEET TO THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23; THENCE N00°39'28"E ON THE WEST LINE OF SAID SECTION 23 A DISTANCE OF 5291.54 FEET; THENCE N89°47'31"W A DISTANCE OF 164.68 FEET; THENCE N38°12'16"W A DISTANCE OF 3064.86 FEET TO THE WEST LINE OF SECTION 23; THENCE N00°39'48"E ON SAID WEST LINE A DISTANCE OF 1067.06 FEET TO THE NORTHWEST CORNER OF SAID SECTION 23; THENCE N00°10'41"E ON THE WEST LINE OF SECTION 14 A DISTANCE OF 1872.29 FEET; THENCE N89°12'37"W A DISTANCE OF 2643.20 FEET TO THE NORTH-SOUTH QUARTER LINE OF SECTION 15; THENCE N00°39'48"E ON SAID NORTH-SOUTH QUARTER LINE A DISTANCE OF 2619.28 FEET; THENCE NORTHWESTERLY 791.73 FEET ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTHWEST, SAID CURVE HAVING A RADIUS OF 3032.88 FEET AND A CHORD BEARING N37°05'39"W TO THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 10; THENCE N89°18'30"W ON THE SAID SOUTH LINE A DISTANCE OF 3349.41 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE N00°40'34"E ON THE WEST LINE OF SECTION 10 A DISTANCE OF 552.24 FEET TO THE SOUTHWEST CORNER OF THE AIRPORT EXPRESSWAY SECOND ADDITION; THENCE S89°50'41"E ON THE SOUTH LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 996.66 FEET; THENCE N00°41'36"E ON THE EAST LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 330.26 FEET TO THE SOUTHERLY EASEMENT LINE OF ND HIGHWAY 1804; THENCE NORTHEASTERLY 322.27 FEET ON SAID EASEMENT LINE ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTHWEST, SAID CURVE HAVING A RADIUS OF 1483.39 FEET AND A CHORD BEARING N72°51'14"W; THENCE N89°18'30"W ON THE NORTH LINE OF THE AIRPORT EXPRESSWAY SECOND ADDITION A DISTANCE OF 480.54 FEET TO THE WEST LINE OF SECTION 10; THENCE N00°40'34"E ON SAID WEST LINE A DISTANCE OF 279.43 FEET TO THE NORTH LINE OF BASIN AVENUE AS PLATTED IN THE AERO-COMMERCIAL SUBDIVISION; THENCE S89°13'30"E ON SAID NORTH LINE A DISTANCE OF 1413.84 FEET TO THE WEST LINE OF LOT 4 OF BLOCK 1 OF SAID AERO-COMMERCIAL SUBDIVISION; THENCE S00°33'23"W ON SAID WEST LINE A DISTANCE OF 81.38 FEET TO THE NORTH LINE OF AIRPORT EXPRESSWAY AS PLATTED IN THE AERO-COMMERCIAL SUBDIVISION; THENCE EASTERLY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE SOUTH ON SAID NORTH LINE A DISTANCE OF 107.29 FEET, SAID CURVE HAVING A RADIUS OF 3088.83 FEET AND A CENTRAL ANGLE OF 2°18'26"; THEN N00°33'23"E ON THE EAST LINE OF SAID LOT 4 OF BLOCK 1 A DISTANCE OF 1337.71 FEET; THENCE S89°13'37"W ON THE NORTHEASTERLY BOUNDARY LINE OF THE AERO-COMMERCIAL SUBDIVISION A DISTANCE OF 297.18 FEET; THENCE N89°47'11"W ON THE SAID BOUNDARY OF THE AERO-COMMERCIAL SUBDIVISION A DISTANCE OF 77.19 FEET TO THE EAST LINE OF PIPER STREET AS PLATTED IN THE 2NDA AND 3RDA ADDITION; THENCE N00°44'47"E ON SAID EAST LINE A DISTANCE OF 416.53 FEET; THENCE S89°18'30"E ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF CONTINENTAL AVENUE, WHICH WAS PLATTED AS LOCHMEED STREET IN THE SHANNON INDUSTRIAL PARK A DISTANCE OF 3.16 FEET; THENCE NORTHEASTERLY ON THE ARC OF A CURVE WHICH IS CONCAVE TO THE NORTHWEST ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF CONTINENTAL AVENUE A DISTANCE OF 280.10 FEET, SAID CURVE HAVING A RADIUS OF 237.83 FEET AND A CENTRAL ANGLE OF 80°33'00"; THENCE N00°15'41"E ON THE EAST LINE OF SAID CONTINENTAL AVENUE A DISTANCE OF 93.13 FEET TO THE EAST-WEST QUARTER LINE OF SECTION 10; THENCE S89°46'38"E ON SAID QUARTER LINE A DISTANCE OF 1190.76 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 2157.41 ACRES OF LAND, MORE OR LESS.

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____ DAY OF _____, 2008, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREON ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

DAVID PETERSON - CHAIRMAN _____ CARL D. HONEISTAD - SECRETARY

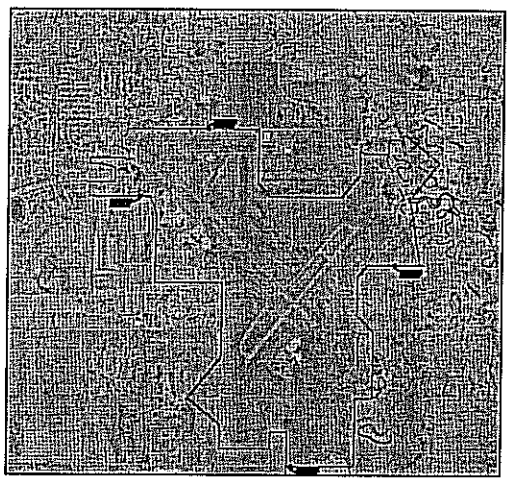
APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE ENCLOSED AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 2009.

ATTEST:

_____
M. C. WOCKEN - CITY ADMINISTRATOR



APPROVAL OF THE CITY ENGINEER

I, MEL BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE BISMARCK ADDITION TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

_____
MEL BULLINGER, P.E.
CITY ENGINEER

SURVEYOR'S CERTIFICATE

I, JOHN C. LINDNE, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE REPRESENTATION OF THE BISMARCK FIRST ADDITION TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA. FURTHER THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY BELIEF AND KNOWLEDGE.

_____
JOHN C. LINDNE R.D. #LS 3630
ULTIMC ENGINEERS, INC. 1412 BASIN AVENUE
BISMARCK, N.D. 58504

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH } SS
ON THIS _____ DAY OF _____, 2008, BEFORE ME PERSONALLY APPEARED JOHN C. LINDNE, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
MARLYS MEIER, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

OWNERS CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF BISMARCK, AND THE UNITED STATES OF AMERICA BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN ON THE ANNEXED PLAT HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS THE BISMARCK AIRPORT ADDITION, AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL SEWER, CULVERTS, WATER AND GAS DISTRIBUTION LINES AND OTHER PUBLIC UTILITY LINES, WHETHER SHOWN HEREON OR NOT, TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

_____
ALL LOTS AS EXCEPT AS NOTED
CITY OF BISMARCK 221 NORTH
5TH STREET BISMARCK, ND 58501

_____
LOTS 53, 54, 55, 56, 57, & 58 BLOCK 1
UNITED STATES OF AMERICA, DEPARTMENT
OF THE INTERIOR, BUREAU OF RECLAMATION
304 EAST BROADWAY AVENUE BISMARCK, ND
58501

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH } SS
ON THIS _____ DAY OF _____, 2008, BEFORE ME PERSONALLY APPEARED JOHN BARTCHEL, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNERS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

STATE OF
COUNTY OF } SS
ON THIS _____ DAY OF _____, 2008, BEFORE ME PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNERS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

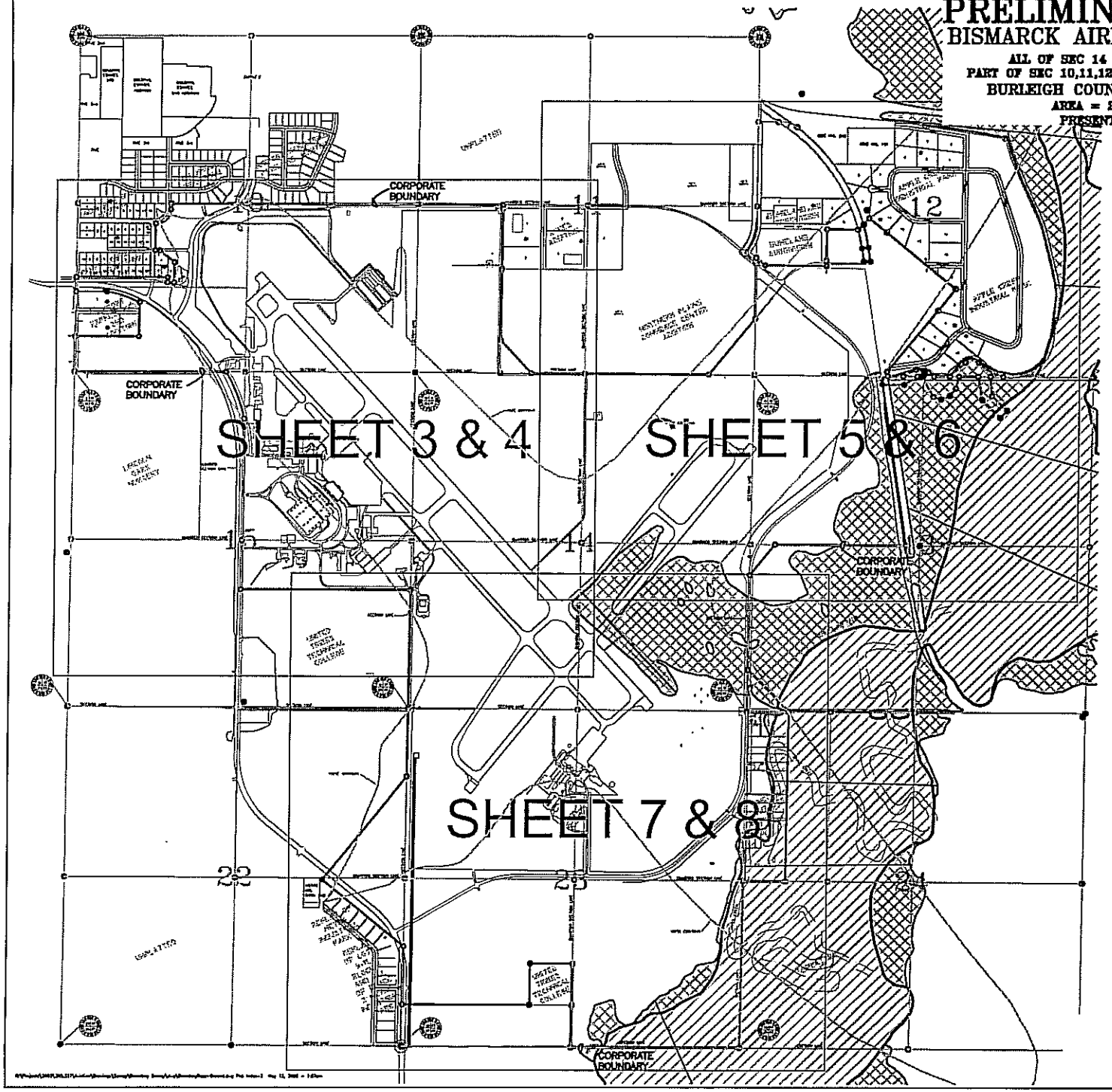
_____
NOTARY PUBLIC
COUNTY,
MY COMMISSION EXPIRES

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH } SS
ON THIS _____ DAY OF _____, 2008, BEFORE ME PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNERS CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

_____
NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES

PRELIMINARY PLAT
BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P



BUILDING IDENTIFICATION

[illegible]	[illegible]	[illegible]

FOUND MONUMENT
SET MONUMENT

1. FLOODPLAIN VERTICAL DATUM NAVD 88
2. CONTOUR VERTICAL DATUM NAVD 29

AREAS

TRACT	SQUARE FEET	ACRES
LOTS	88176386.3	2024.3
R.O.W.	5796513.3	133.1
TOTAL	93972819.5	2157.4

CITY OF BISMARCK / BISMARCK AIRPORT
CHUCK WALD, AIRPORT MANAGER
2301 UNIVERSITY DRIVE, BUILDING #17
BISMARCK, NORTH DAKOTA 58501

JOHN G. LINDSKOG, PLS 3855
ULTEIG ENGINEERS, INC.
1415 SWIFT AVENUE
BISMARCK, NORTH DAKOTA 58504

0' 300' 600' 1200'
1"=600'

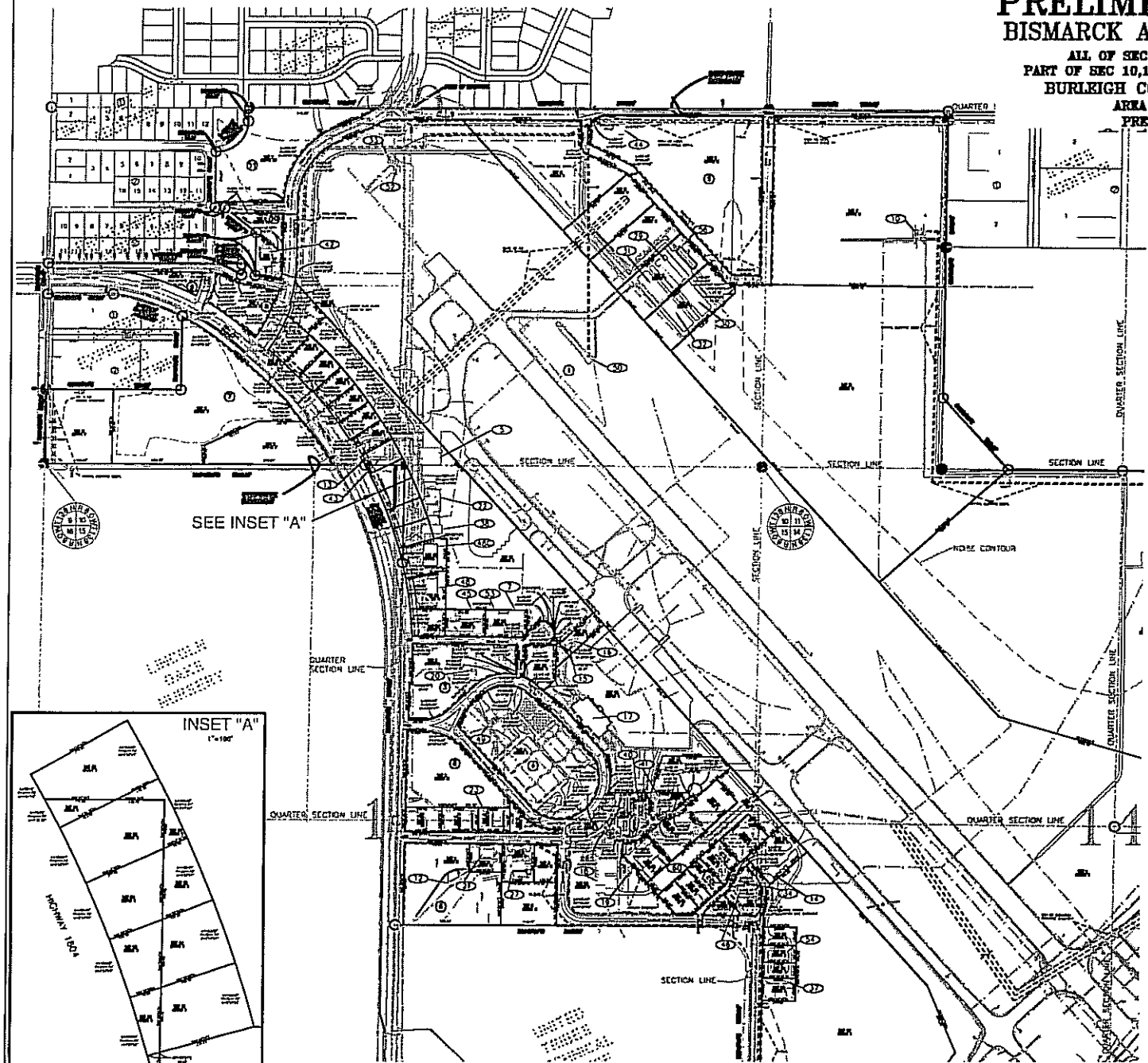
SHEET 2 OF 8

MAY 13 2009

PRELIMINARY PLAT

BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P



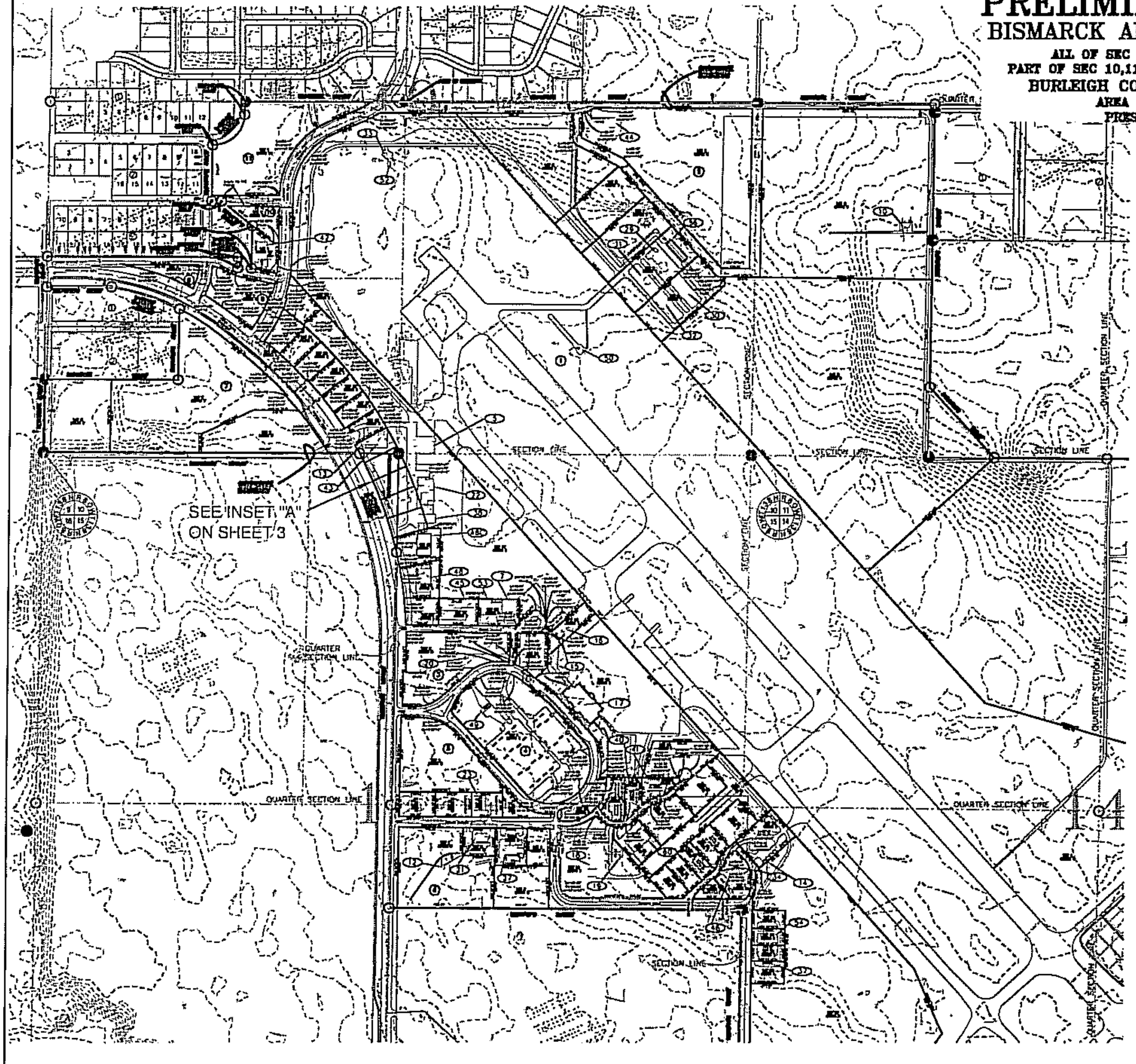
LOT AREAS

BLOCK	LOT	S.F.	ACRES
[illegible]	[illegible]	[illegible]	[illegible]

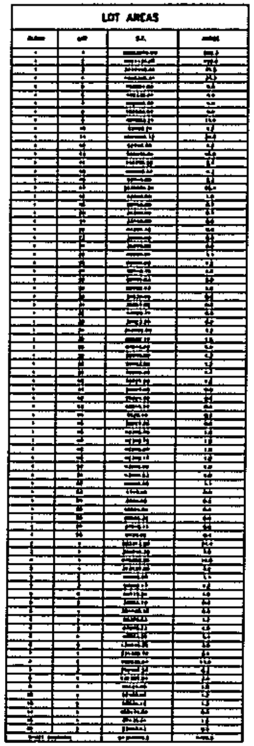
SHEET 3 OF 8

PRELIMINARY PLAT
BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P



LOT AREAS



▨ FLOODWAY

▩ 100 YEAR FLOODPLAIN

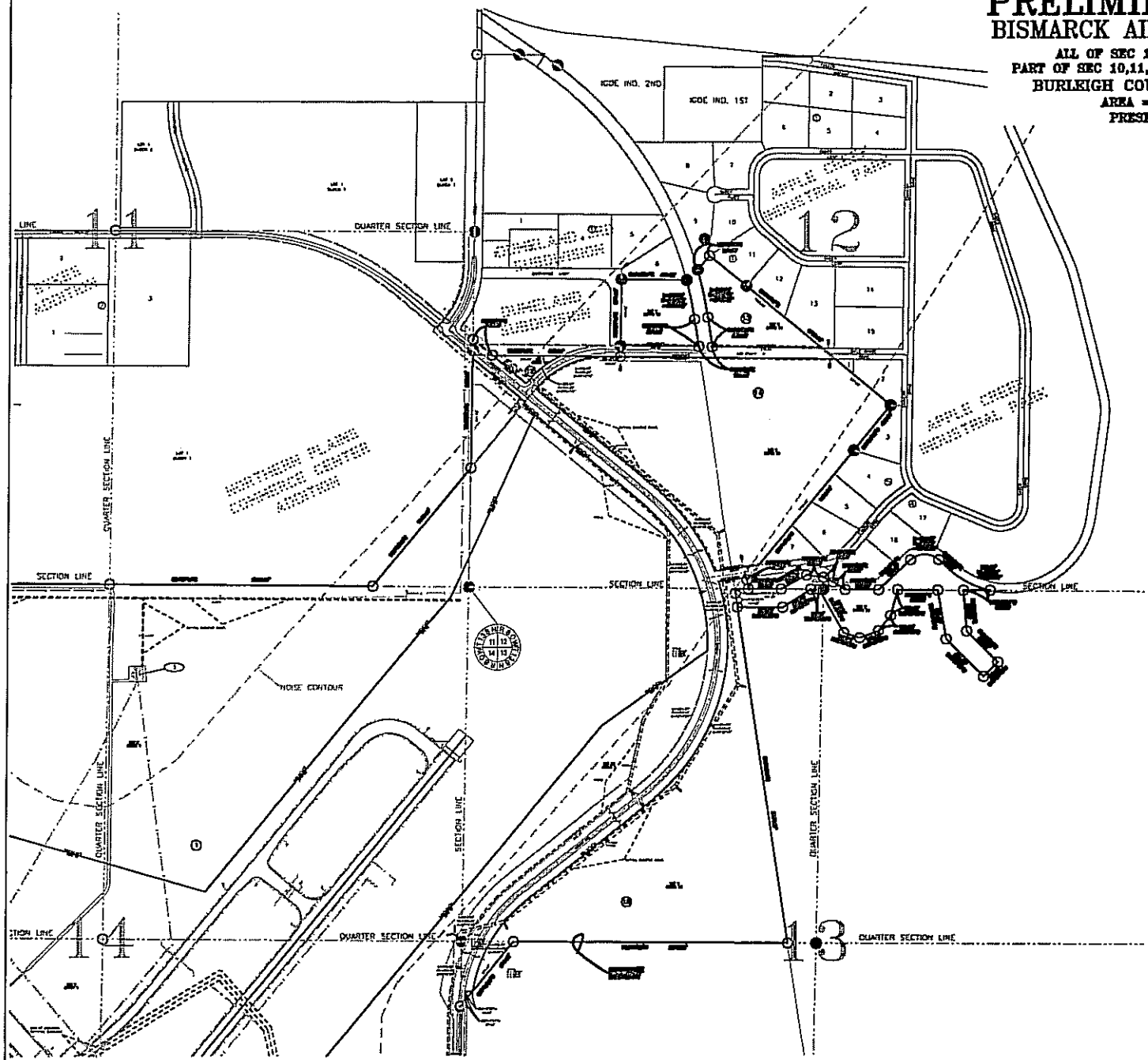
N

0' 150' 300' 600'
1" = 300'

SHEET 4 OF 8

PRELIMINARY PLAT
BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P

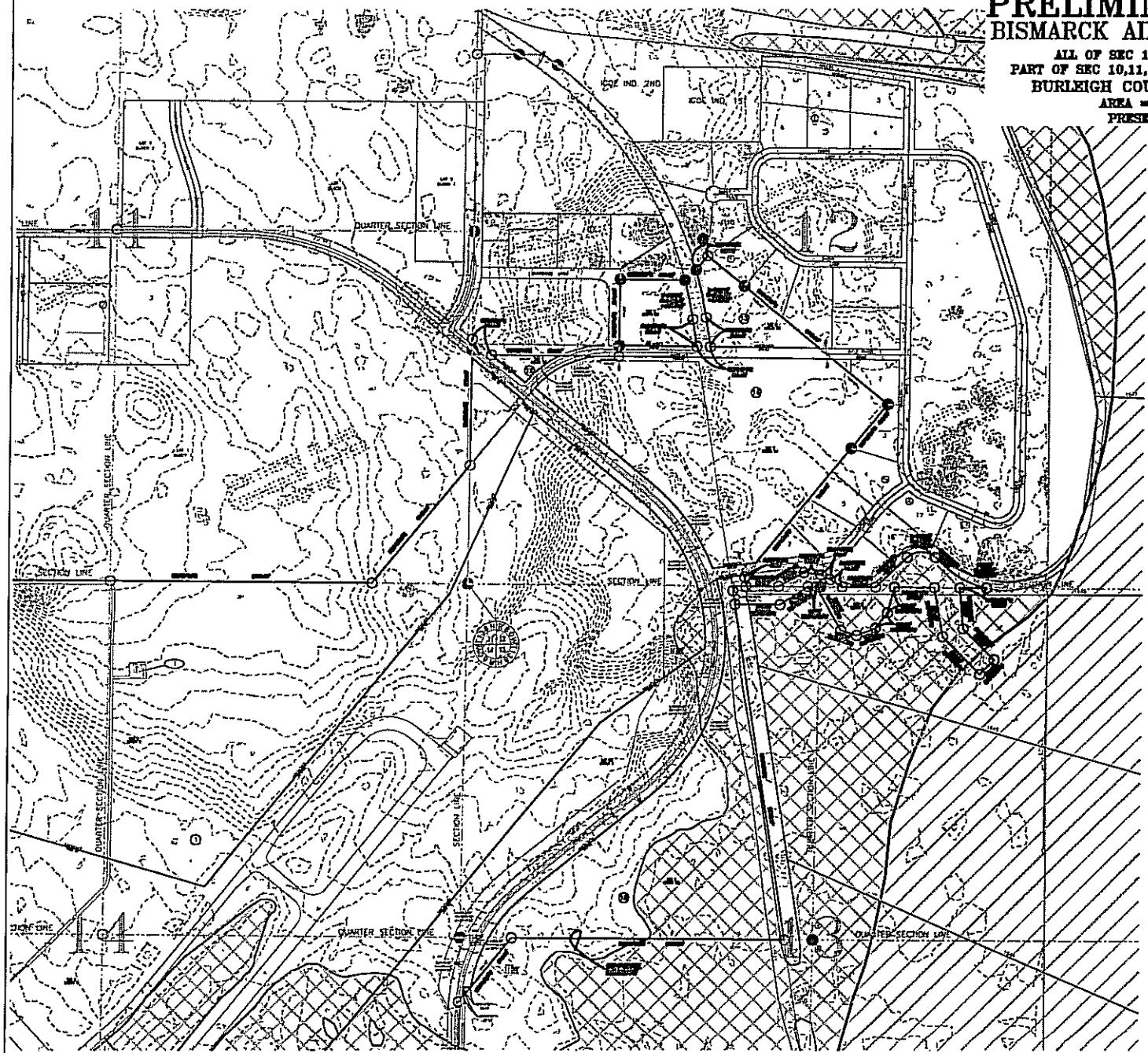


LOT AREAS

SHEET 5 OF 8

PRELIMINARY PLAT
BISMARCK AIRPORT ADDITION

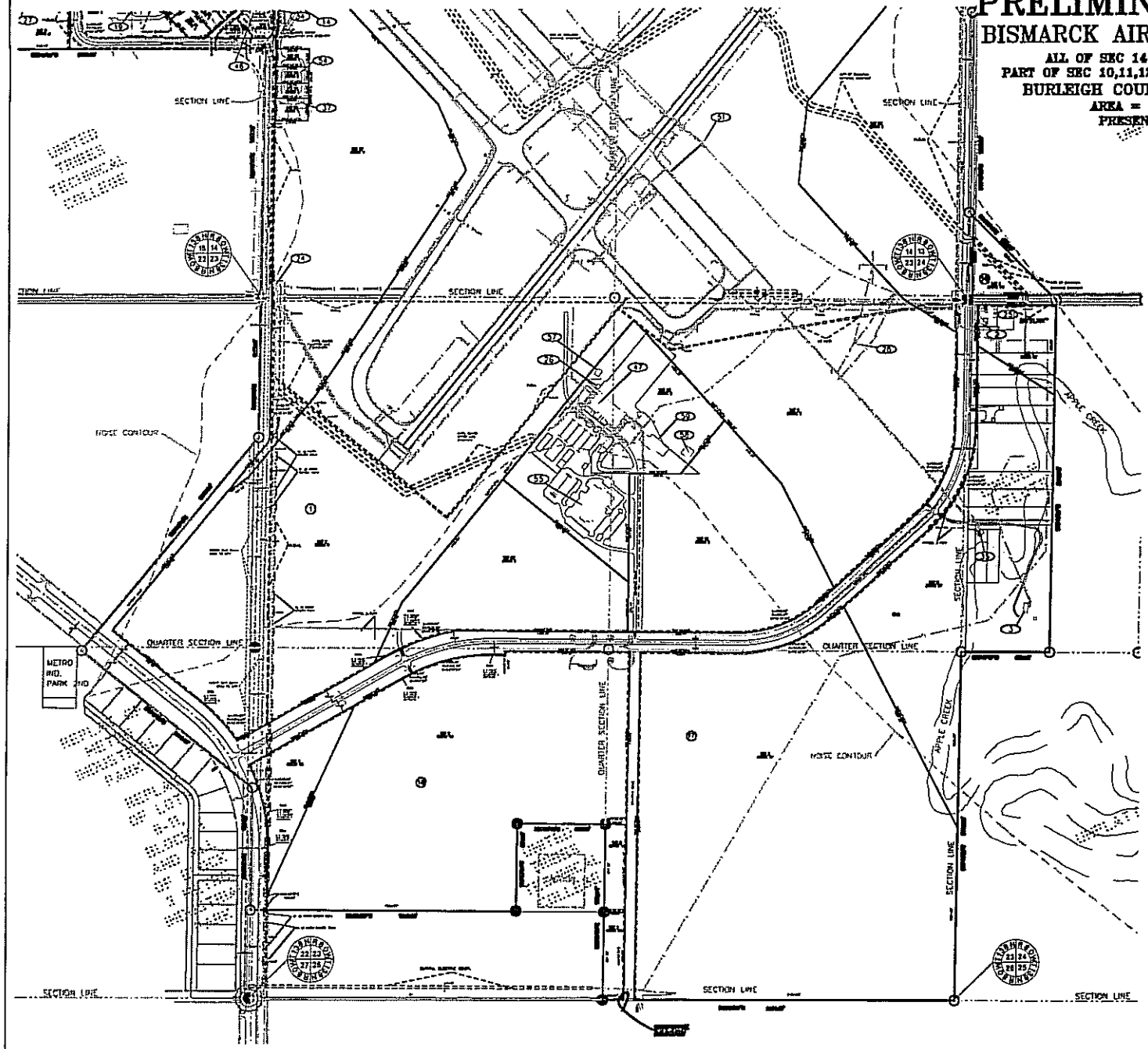
ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P



PRELIMINARY PLAT

BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P



LOT AREAS

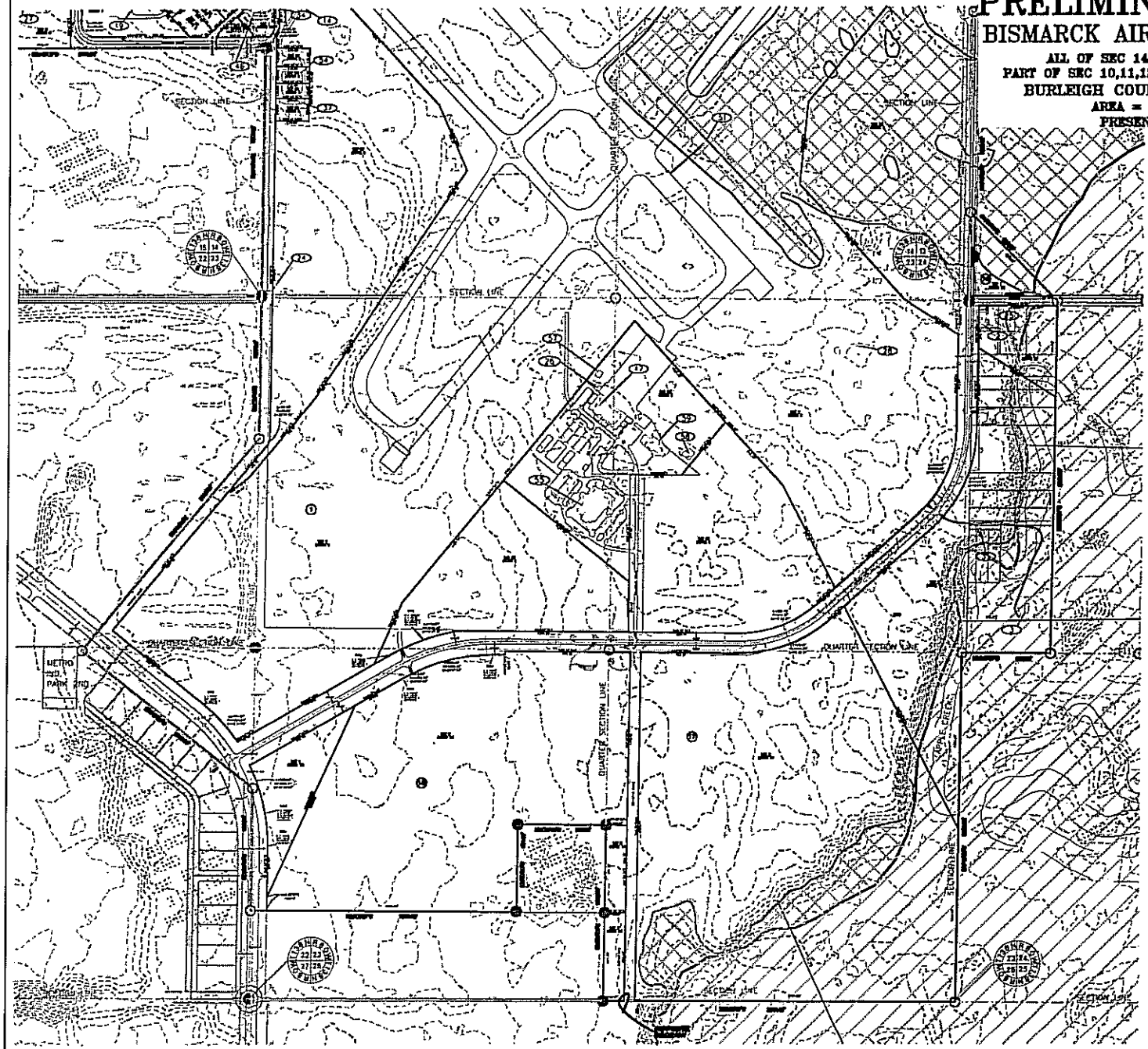
Block	Lot	Sq. Ft.	Acres
1	22	[illegible]	22.1
1	23	[illegible]	23.7
1	24	1[illegible]	24.4
1	1	[illegible]	1.1
1	2	[illegible]	1.1
1	3	[illegible]	1.1
1	4	[illegible]	46.2
1	5	[illegible]	1.1
1	6	[illegible]	1.1
1	7	[illegible]	1.1
1	8	[illegible]	20.7
1	9	[illegible]	1.1
1	10	[illegible]	1.1
1	11	[illegible]	1.1
Road Subtotal		1,[illegible]	[illegible]

SHEET 7 OF 8

PRELIMINARY PLAT

BISMARCK AIRPORT ADDITION

ALL OF SEC 14 & 23 T138N-R80W
PART OF SEC 10,11,12,13,15,22,24 T138N-R80W
BURLEIGH COUNTY, NORTH DAKOTA
AREA = 2157.41 ACRES
PRESENT ZONING P

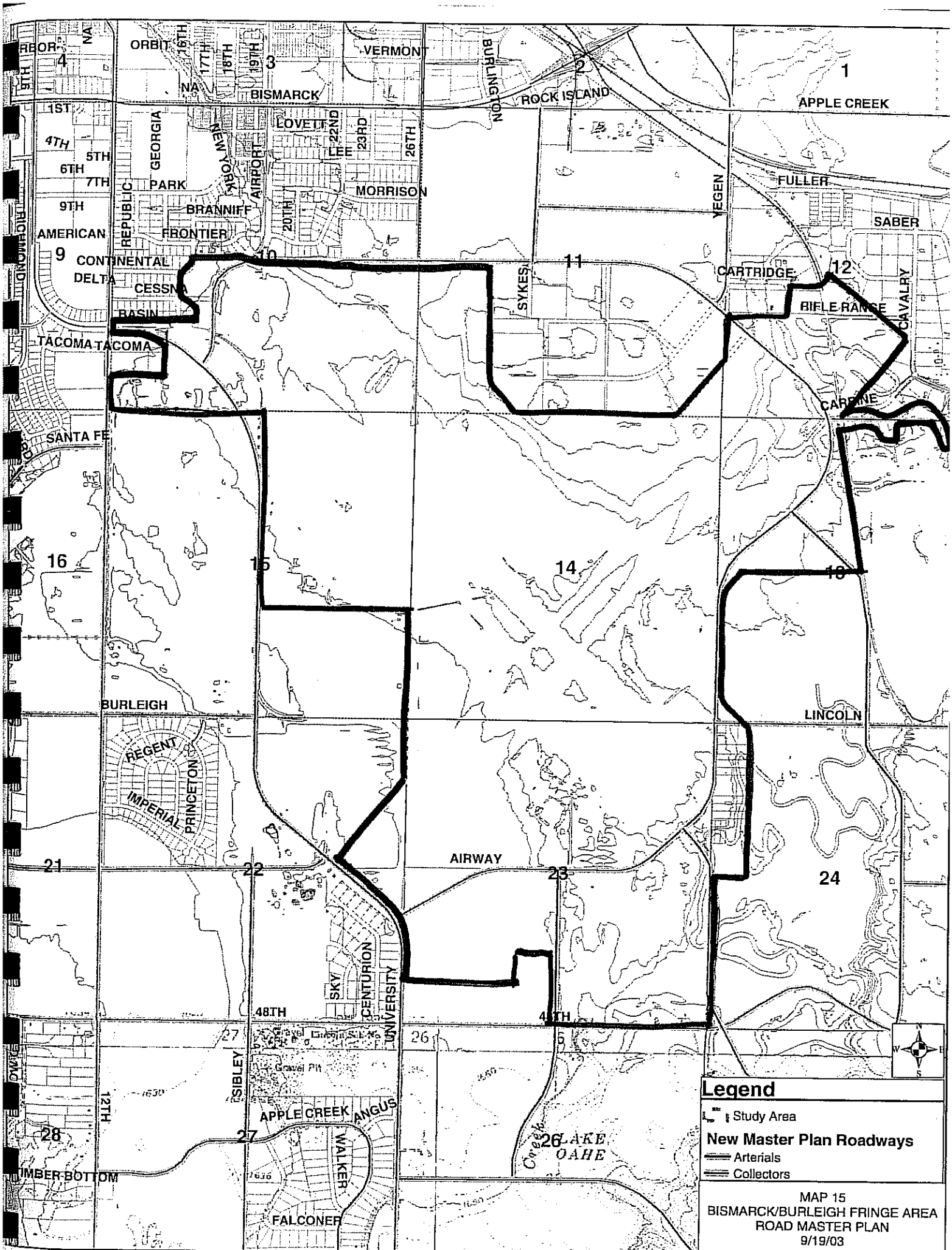


LOT AREAS			
[illegible]	[illegible]	S.F.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]		[illegible]	[illegible]

▨	FLOODWAY
▦	100 YEAR FLOODPLAIN

0' 150' 300' 600'
1"=300'

SHEET 8 OF 8



MAP 15
BISMARCK/BURLEIGH FRINGE AREA
ROAD MASTER PLAN
9/19/03

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:

Title:
Burleigh Avenue Addition – Zoning Change (A-Agriculture to R5-Residential & RR-Residential)

Status: Planning Commission – Public Hearing	**Date:** September 23, 2009
Owner(s): Olivia Huber and Kim & Diane Martin	**Engineer:** Swenson, Hagen & Co.

Reason for Request:
Plat and rezone the existing rural residential properties.

Location:
Along the south side of Burleigh between Washington and Downing Streets (Lot C & Part of Lot B and Part of the NE ¼ of the NE ¼ of Section 20 T138N/R80W – Lincoln Township).

Project Size: 3.01 acres	**Number of Lots:** 2 lots in 1 block
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Two large lot, single-family dwellings	**Land Use:** Two large lot single-family dwellings
Zoning: A – Agriculture	**Zoning:** R5 (lot 2) RR (lot 1)
Uses Allowed: Limited agriculture uses	**Uses Allowed:** Single-family dwellings
Maximum Density Allowed: 1 unit per 40 acres	**Maximum Density Allowed:** R5 (5 units per acre) RR (1 unit per 65,000 SF)

PROPERTY HISTORY:

Zoned:	Platted:	Annexed:
---	---	June 1988 (Lot 2 only)

FINDINGS:

1. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include partially developed R5 and R10 zoned property to the west, single-family dwellings to the north and A-Agriculture zoned property to the east and south.

2. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision. Currently Lot 2, Block 1 is annexed to the City of Bismarck and is connected to City services, Lot 1, Block 1 is outside City limits and operates with a septic system and a personal well for water.

3. The proposed zoning change would not adversely affect property in the vicinity.

4. The proposed zoning change is consistent with the general intent and purpose of this land development code.

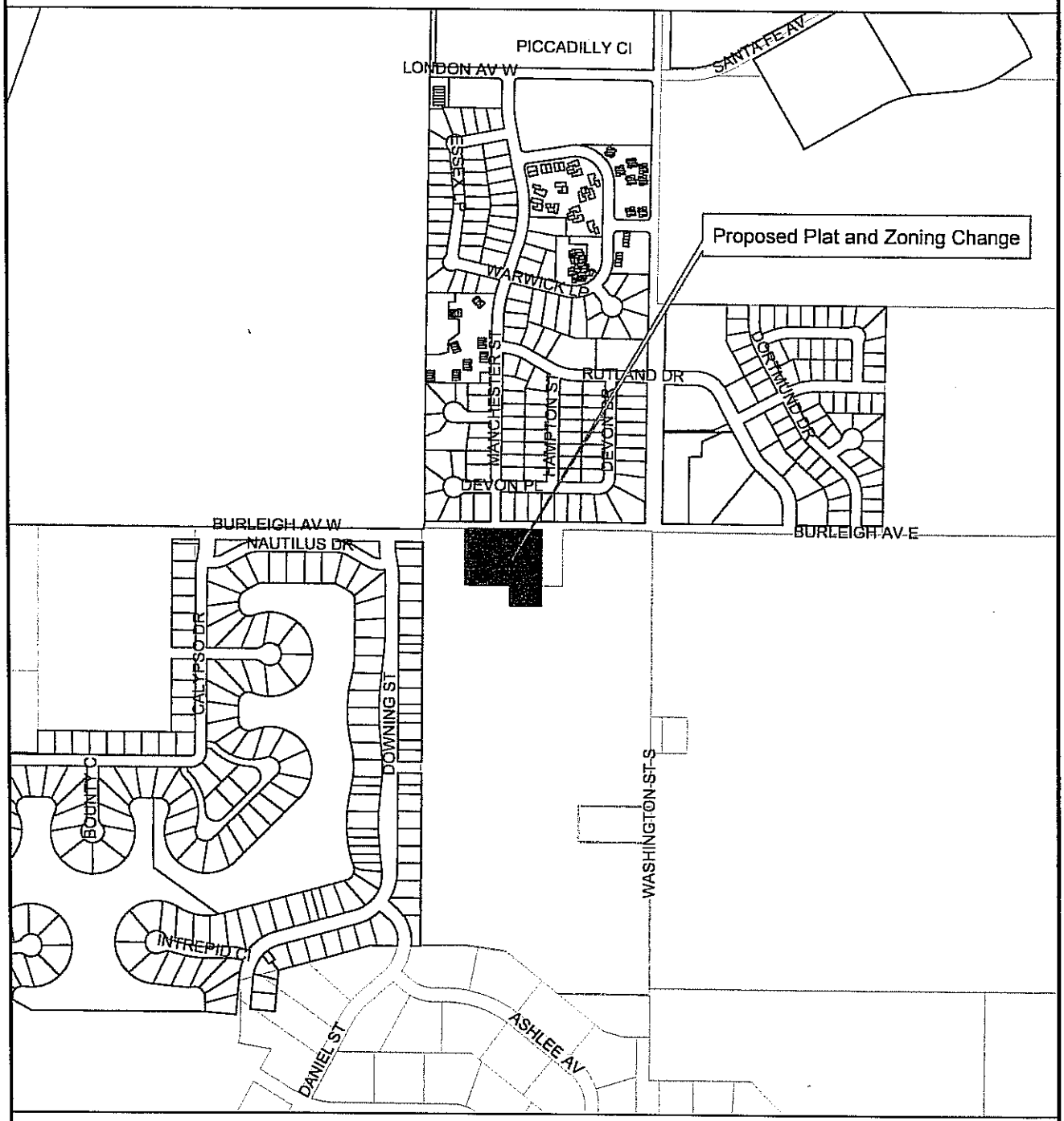
5. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

6. The Future Land Use Plan identifies this area for urban residential

RECOMMENDATION:

Based on the above findings, staff recommends approval of the zoning change from A – Agricultural to R5-Residential for Lot 2, Block 1and to RR-Residential for Lot 1, Block1, Burleigh Avenue Addition.

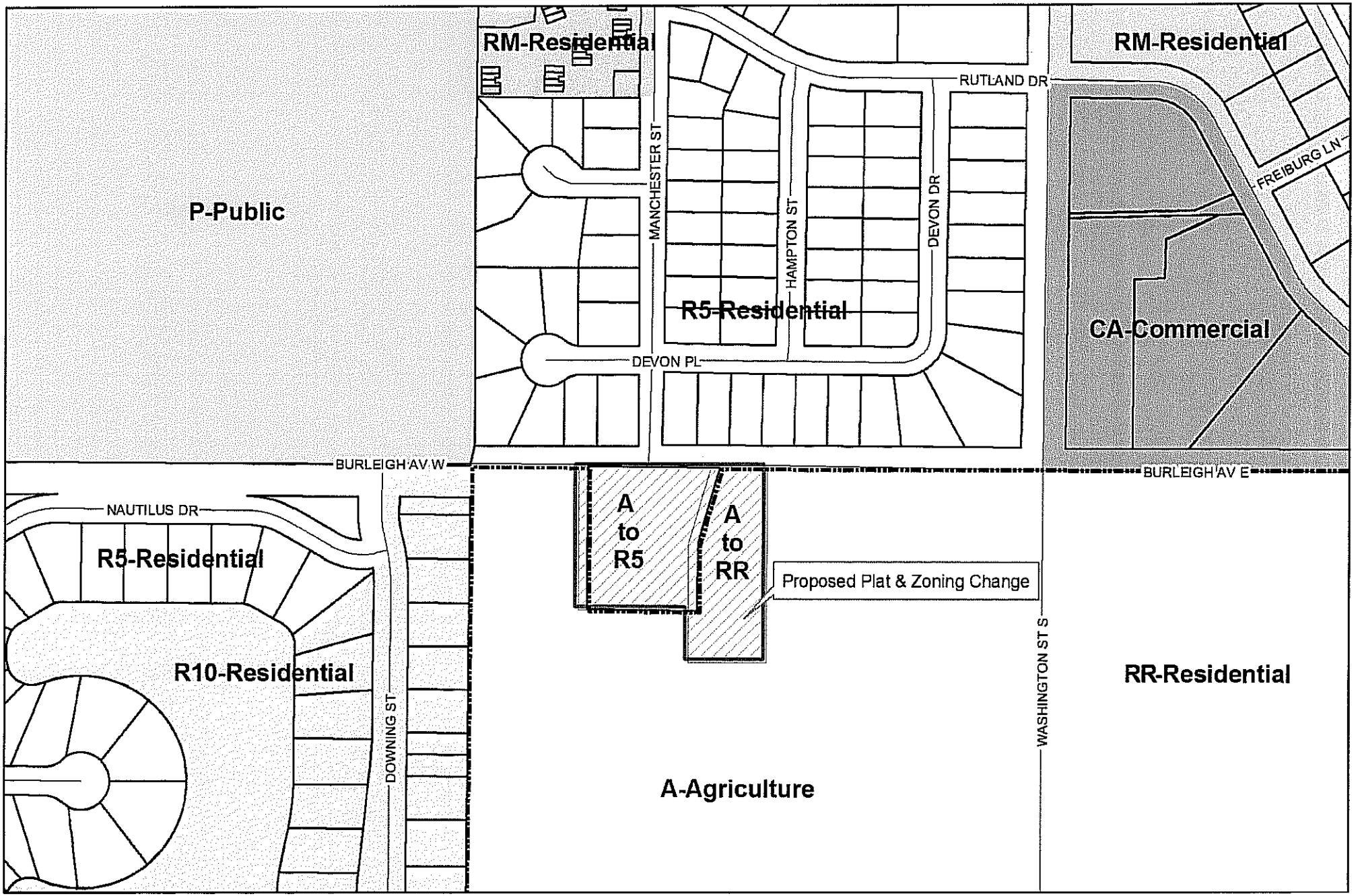
Proposed Plat and Zoning Change (A to RR and R5)
Burleigh Avenue Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon. Map was Updated/Created: June 24, 2008 (kcg)

Source: City of Dunwoody

Burleigh Avenue Addition - Zoning Change A to R5 & RR



Legend Annexation Boundary Pending Subdivisions Pending Lots

0 125 250 500 Feet

July 2009

BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT

BACKGROUND:	
Title: Burleigh Avenue Addition – Final Plat	
Status: Planning Commission – Public Hearing	**Date:** September 23, 2009
Owner(s): Olivia Huber and Kim & Diane Martin	**Engineer:** Swenson, Hagen & Co.
Reason for Request: Plat and rezone the existing rural residential properties	
Location: Along the south side of Burleigh between Washington and Downing Streets (Lot C & Part of Lot B and Part of the NE ¼ of the NE ¼ of Section 20 T138N/R80W – Lincoln Township).	
Project Size: 3.01 acres	**Number of Lots:** 2 lots in 1 block
EXISTING CONDITIONS:	**PROPOSED CONDITIONS:**
Land Use: Two large lot, single-family dwellings	**Land Use:** Two large lot, single-family dwellings
Zoning: A-Agriculture	**Zoning:** R5 (lot 2) RR (lot 1)
Uses Allowed: Limited agriculture uses	**Uses Allowed:** Single-family dwellings
Maximum Density Allowed: 1 unit per 40 acres	**Maximum Density Allowed:** R5 (5 units per acre) RR (1 unit per 65,000 SF)

PROPERTY HISTORY:		
Zoned: ---	**Platted:** ---	**Annexed:** June 1988 (Lot 2 only)

FINDINGS:

1. All technical requirements for consideration of a final plat have been met.
2. The proposed subdivision does not impact the Fringe Area Road Master Plan for this section. Downing Street is the north-south collector and Glenwood Drive is the east-west collector.
3. As this property is developed and no activity is proposed at this time, the storm water management plan requirement will be waived. If the plat is revised to add additional lots for development, a storm water management plan will need to be submitted and approved prior to plat approval.
4. The proposed subdivision would be compatible with adjacent land uses; adjacent land uses include partially developed R5 and R10 zoned property to the west, single-family dwellings to the north and A-Agriculture zoned property to the east and south.
5. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision. Currently Lot 2, Block 1 is annexed to the City of Bismarck and is connected to City services, Lot 1, Block 1 is outside City limits and operates with a septic system and a personal well for water.
6. The proposed subdivision would not adversely affect property in the vicinity.

findings continued...

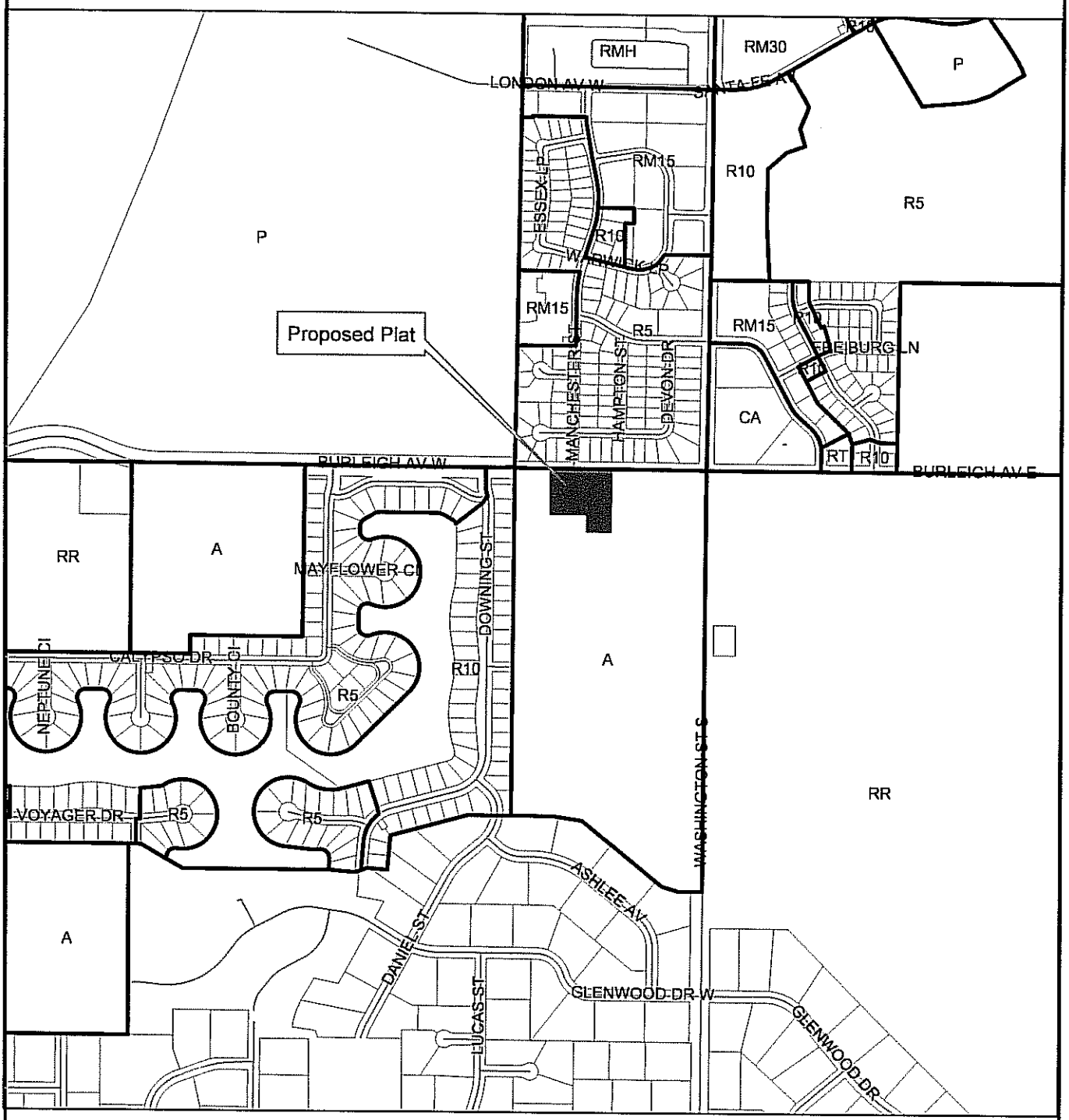
7. The proposed subdivision is consistent with the general intent and purpose of this land development code.

8. The proposed subdivision is consistent with the master plan, other adopted plans, policies and general planning practice.

RECOMMENDATION:

Based on the above findings, staff recommends approval of the final plat of Burleigh Avenue Addition.

Proposed Plat & Zoning Change (A to RR & R5)
Burleigh Avenue Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein. Map was Updated/Created: September 11, 2009 (kee)

Source: City of Fremont

BURLEIGH AVENUE ADDITION

Lot C & Part of Lot B And Part of The NE 1/4 NE 1/4
SECTION 20 T 138 N R 80 WEST
BISMARCK, NORTH DAKOTA

DESCRIPTION

ALL THAT PART OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ AUDITOR'S LOT C AND PART OF AUDITOR'S LOT B OF SECTION 20 TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF SECTION 20 A DISTANCE OF 643.27 FEET WEST OF THE NORTHEAST SECTION CORNER; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 481.46 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 173.04 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 135.22 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 254.70 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 327.42 FEET TO THE NORTH LINE OF SECTION 20; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 424.43 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 3.73 ACRES, MORE OR LESS.

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT AND HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE ____ DAY OF _____, 2009.

ATTEST:
M. C. WOCHER – CITY ADMINISTRATOR

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE _____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

WAYNE LEE YEAGER – CHAIRMAN

CARL D. HOKENSTAD – SECRETARY

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON JULY 10, 2009 AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

STATE OF NORTH DAKOTA }
} SS
COUNTY OF BURLEIGH }

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
REGISTERED LAND SURVEYOR
N.D. REGISTRATION NO. 3889

ON THIS ____ DAY OF _____, 2009, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

DAVID PATENCE, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES AUGUST 24, 2010

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "ENGNOW SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

MELVIN J. BULLINGER
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW TO ALL MEN BY THESE PRESENTS THAT OLIVIA HUBER, KIM MARTIN AND DIANE MARTIN BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "BURLEIGH AVENUE ADDITION", BISMARCK, NORTH DAKOTA.

THEY ALSO DEDICATE EASEMENTS TO THE CITY OF BISMARCK TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES INCLUDING SANITARY SEWER AND WATER MAINS ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

STATE OF NORTH DAKOTA }
COUNTY OF BURLEIGH }

OLIVIA HUBER – OWNER LOT 1
229 WEST BURLEIGH AVENUE
BISMARCK, NORTH DAKOTA
58504

ON THIS ____ DAY OF _____, 2009, BEFORE ME PERSONALLY APPEARED OLIVIA HUBER KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND SHE ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME.

DAVID PATENCE, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES AUGUST 24, 2010

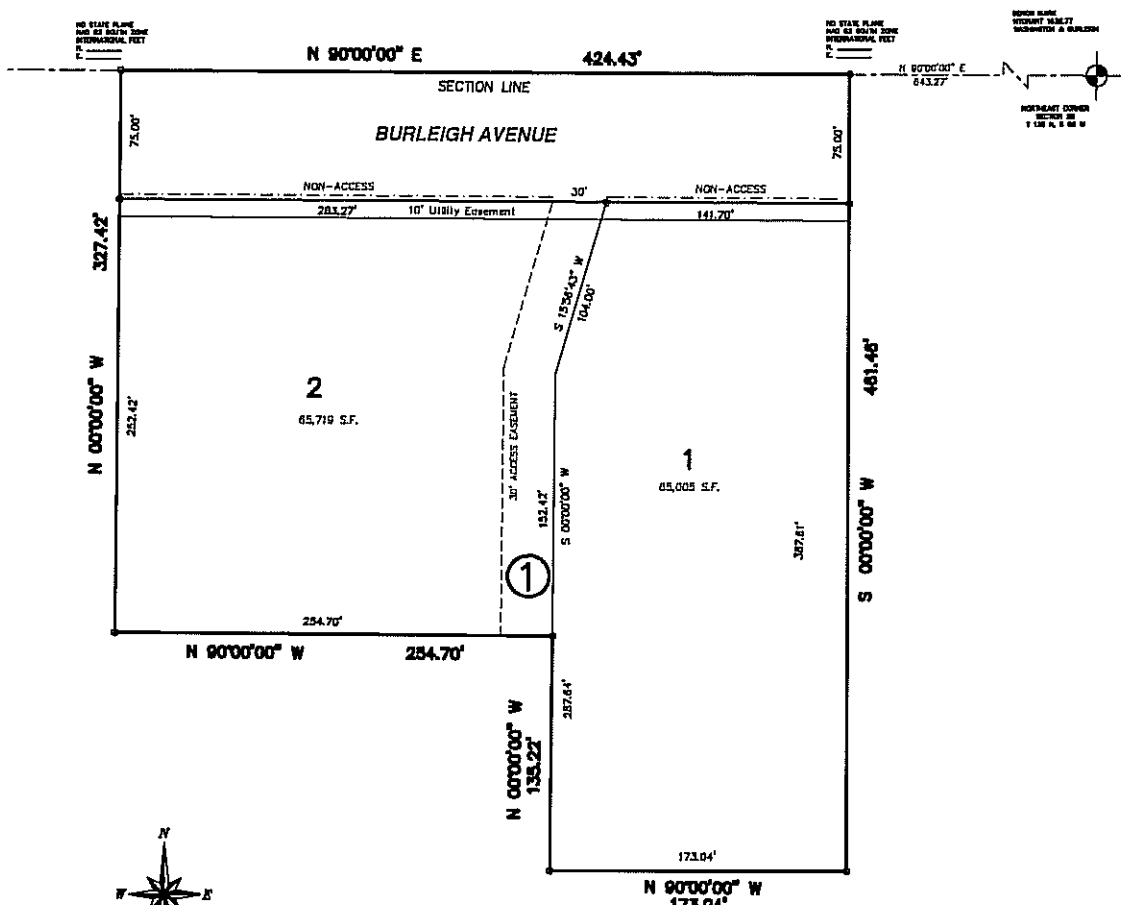
STATE OF NORTH DAKOTA }
COUNTY OF BURLEIGH }

KIM MARTIN – OWNER LOT 2
301 WEST BURLEIGH AVENUE
BISMARCK, NORTH DAKOTA
58504

DIANE MARTIN – OWNER LOT 2
301 WEST BURLEIGH AVENUE
BISMARCK, NORTH DAKOTA
58504

ON THIS ____ DAY OF _____, 2009, BEFORE ME PERSONALLY APPEARED KIM MARTIN AND DIANE MARTIN KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

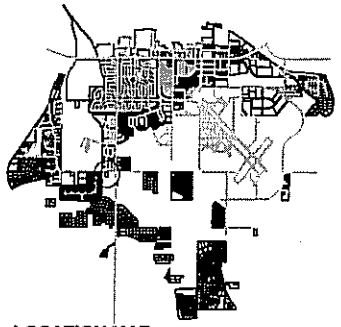
DAVID PATENCE, NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES AUGUST 24, 2010



NOW	31,853 S.F.	0.73 ACRES	
LOT 1	126,774 S.F.	2.91 ACRES	
TOTAL	162,627 S.F.	3.73 ACRES	

● MONUMENT TO BE SET
⊙ MONUMENT FOUND

SWENSON, HAGEN & COMPANY P.C.
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management
909 Basin Avenue
Bismarck, North Dakota 58504
Phone (701) 223-3848
Fax (701) 223-2616



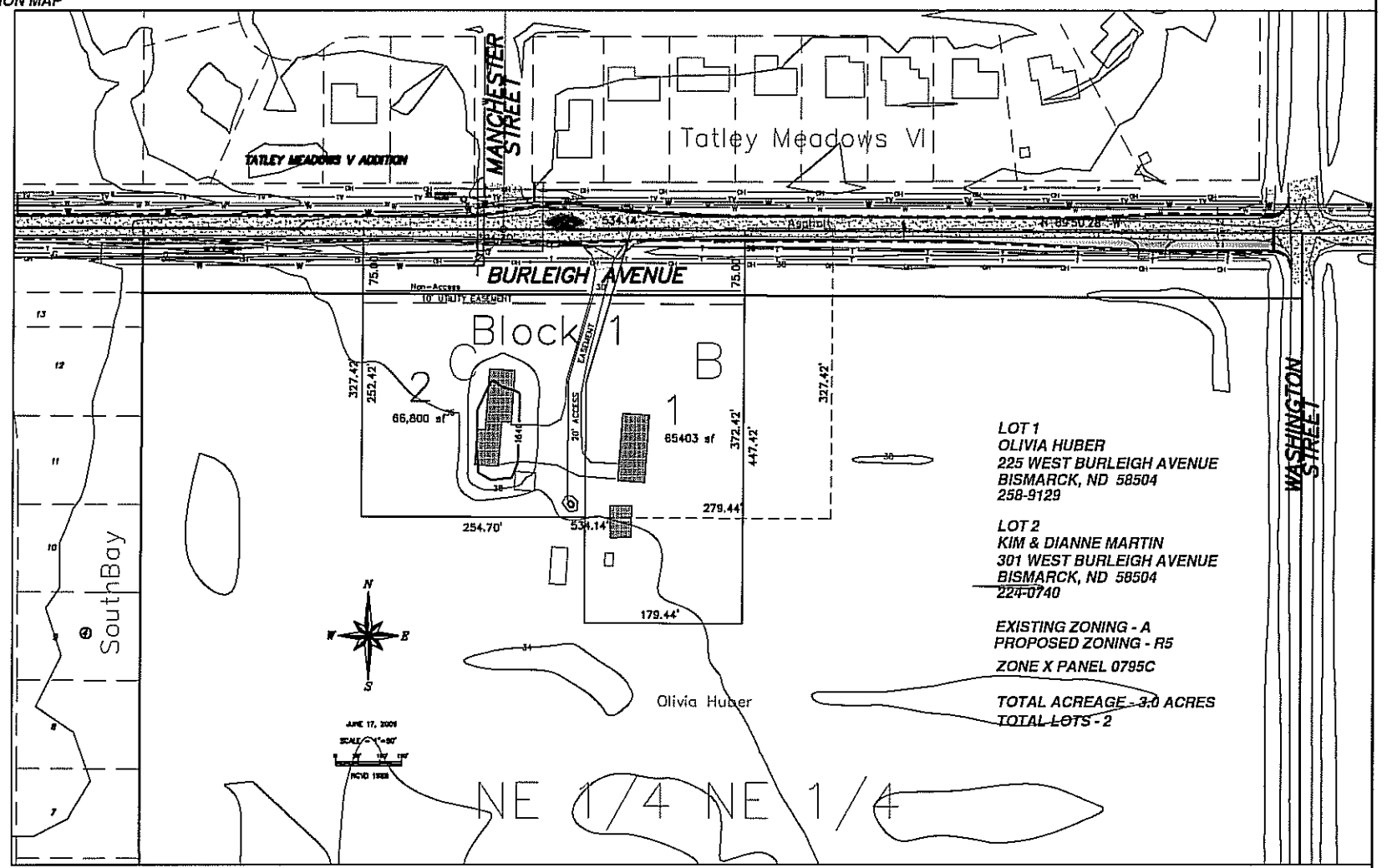
LOCATION MAP

PRELIMINARY PLAT

BURLEIGH AVENUE ADDITION

Lot C & Part of Lot B And Part of The NE 1/4 NE 1/4
SECTION 20 T 138 N R 80 WEST

BISMARCK, NORTH DAKOTA



LOT 1
OLIVIA HUBER
225 WEST BURLEIGH AVENUE
BISMARCK, ND 58504
258-9129

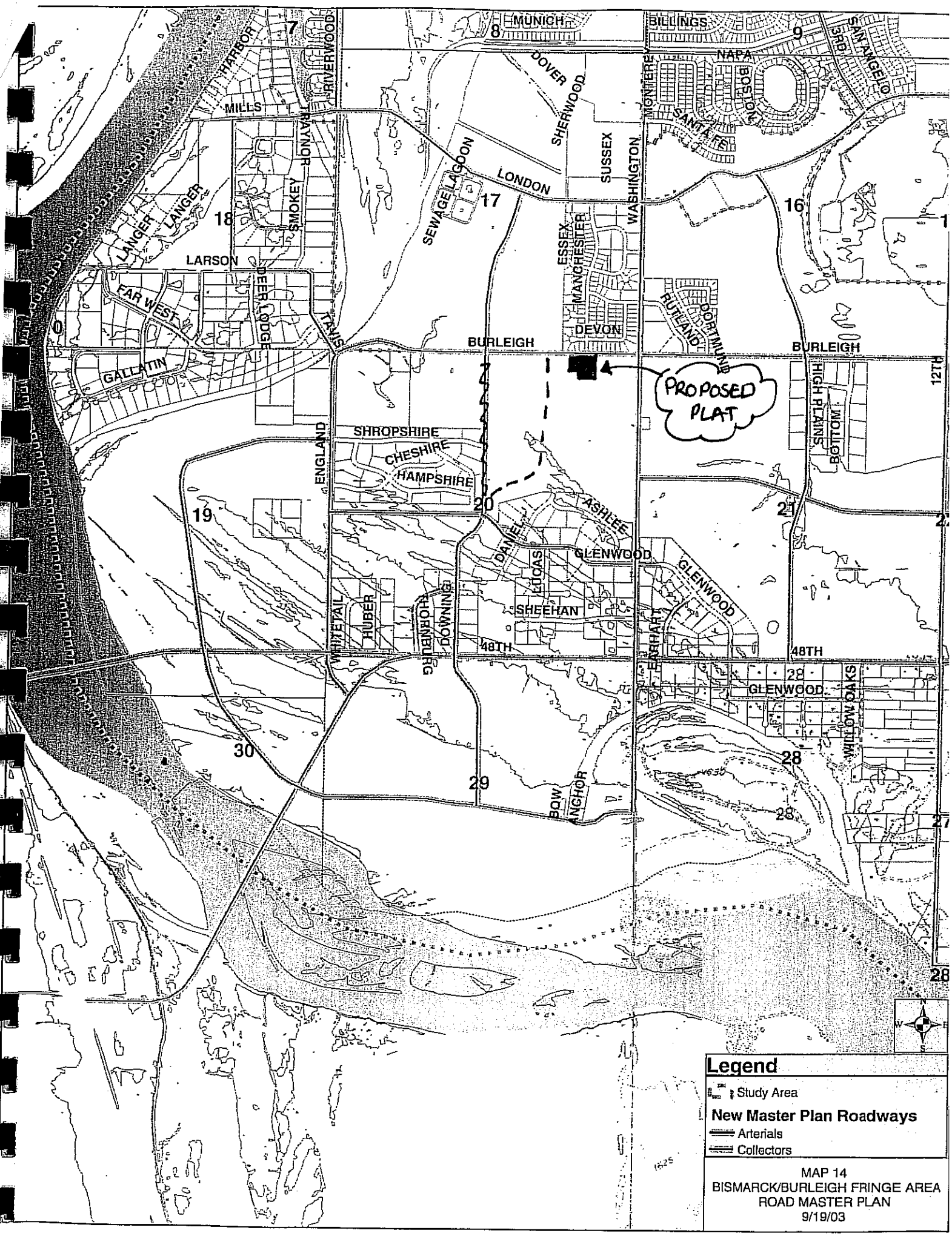
LOT 2
KIM & DIANNE MARTIN
301 WEST BURLEIGH AVENUE
BISMARCK, ND 58504
224-0740

EXISTING ZONING - A
PROPOSED ZONING - R5

ZONE X PANEL 0795C

TOTAL ACREAGE - 3.0 ACRES
TOTAL LOTS - 2

SWENSON, HAGEN & COMPANY P.C.



MAP 14
BISMARCK/BURLEIGH FRINGE AREA
ROAD MASTER PLAN
9/19/03