



Engineering Department

DATE: May 28, 2024

FROM: Gabe Schell, City Engineer

ITEM: Access Easement in Silver Ranch Third Addition

REQUEST:

Dedication and acceptance of an Access Easement in Silver Ranch Third Addition.

BACKGROUND INFORMATION:

The Access Easement is proposed in Silver Ranch Third Addition on Davies Drive west of Silver Boulevard, adjacent to the area where streets have been installed. The access easement will allow for a turnaround for emergency vehicles. It is anticipated that this easement would be released with the extension of Davies Drive to the west. The Access Easement is attached.

RECOMMENDED CITY COMMISSION ACTION:

Approve the dedication and acceptance of an Access Easement in Silver Ranch Third Addition.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Davies Drive - Access Easement

ACCESS EASEMENT

This dedication of an Access easement is made this _____ day of _____, 2024, between **INVESTCORE, INC.** whose post office address is PO Box 1437, Bismarck, ND 58502, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is 221 North 5th St., Bismarck, North Dakota 58506-5503, Grantee.

1. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee, its successors and assigns, an exclusive easement to run with the land at all times hereafter to construct, operate, maintain, and repair gravel, curb, gutter, and paving facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.
2. The real property for the Access easement herein dedicated, granted and reserved is owned by the Grantor and is described as follows:

ALL THAT PART OF LOTS 40, 41, 42, & 43 BLOCK 2, AND LOTS 15 & 16 BLOCK 3 OF SILVER RANCH THIRD ADDITION, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, LYING WITHIN AN 80' RADIUS OF THE END POINT OF THE FOLLOWING DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 16; THENCE SOUTH 09 DEGREES 41 MINUTES 50 SECONDS EAST, ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 16, A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF DAVIES DRIVE RIGHT-OF-WAY; THENCE SOUTH 80 DEGREES 18 MINUTES 10 SECONDS WEST, ALONG SAID CENTERLINE, A DISTANCE OF 9.76 FEET TO SAID ENDPOINT

Descriptions prepared by Landon Niemiller; Swenson, Hagen & Co. P.C.; 909 Basin Ave, Bismarck, ND 58504.

3. The Grantee is responsible for the installation, operation, and maintenance of improvements or facilities constructed or installed pursuant to this easement according to applicable development policies.
4. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution in 2024 and ending in 2123.

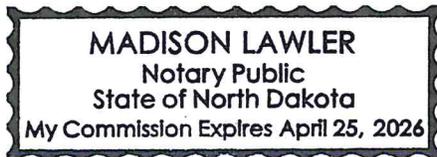
IN WITNESS WHEREOF, the Grantors have hereto fixed their signatures this the 8 day of May, 2024.

County
STATE OF Burleigh)
State) SS
COUNTY OF North Dakota)



Jamie Schmidt, Vice President
INVESTCORE, INC.
PO BOX 1437
BISMARCK, ND 58502

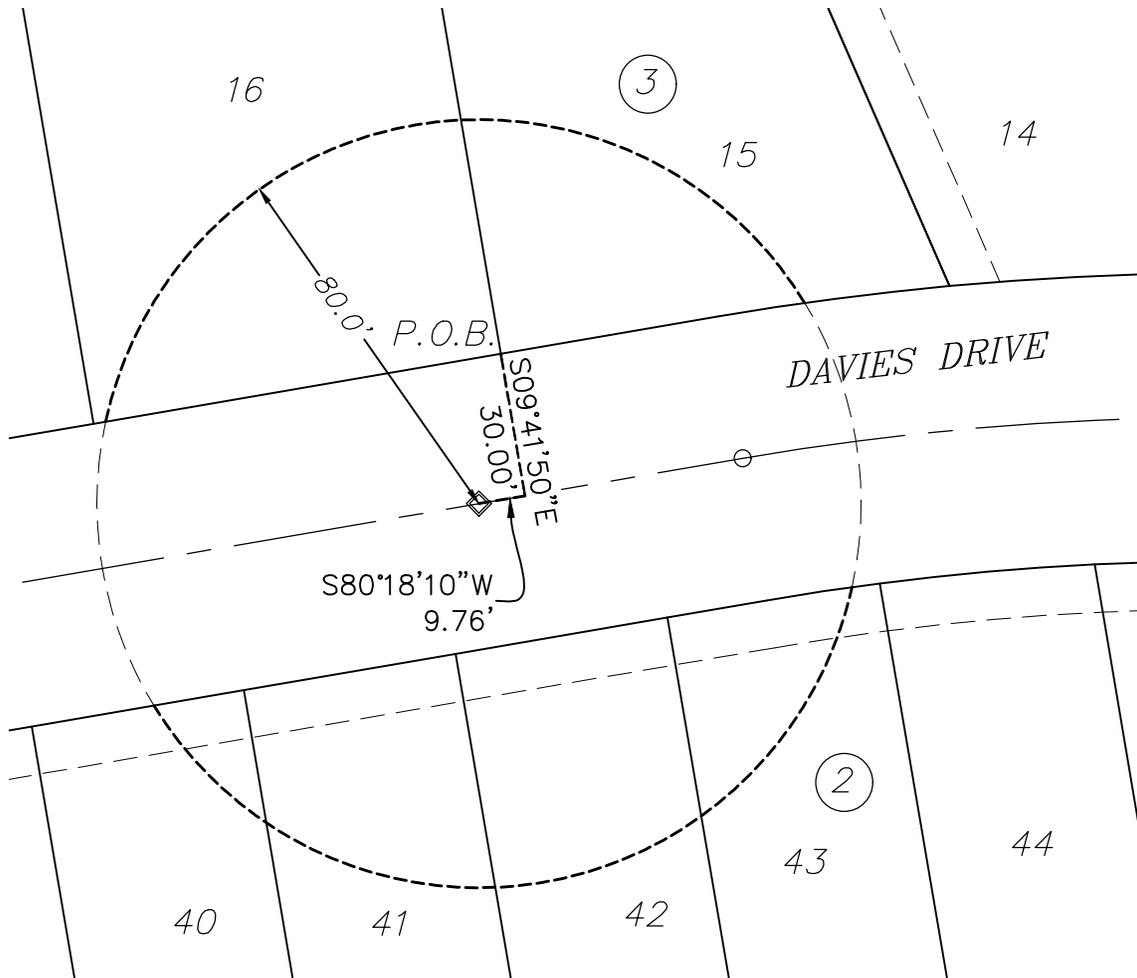
On this 8 day of May, 2024, before me appeared Jamie Schmidt, Vice-President of Investcore, Inc., known to me to be the person that is described in and that he executed the foregoing instrument, and acknowledged that he executed the same.





Notary Public, Burleigh County, ND
My Commission Expires: April 25, 2026

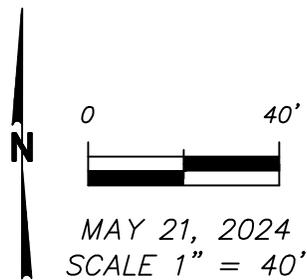
ACCESS EASEMENT EXHIBIT



ACCESS EASEMENT

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SWENSON, HAGEN & COMPANY P.C.

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

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