

GLACIER PARK ADDITION

(BLOCKS 1, 2 AND 3, OF BURLINGTON NORTHERN RAILROAD PROPERTY)
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Duane Wamre, Registered Land Surveyor, N.D. No. 1171 of Dickinson, Stark County, North Dakota, do hereby certify that the survey of Glacier Park Addition in the S4S4SE4 Section 4 and the S4S4SW4 and S4S4SE4 Section 3, Township 139 North, Range 96 West of the 5th P.M., Stark County, North Dakota as shown on the accompanying plat, was made under my knowledge and belief. The boundary of said tract is more particularly described as follows, to wit: found in part in Stark County Register of Deed in Book 202-P261 to P266 Document No. 270434.

DESCRIPTION

BLOCK 1 - GLACIER PARK ADDITION

That portion of the S4S4SE4 Section 4, Township 139 North, Range 96 West of the 5th P.M., City of Dickinson, Stark County, North Dakota, more particularly described as follows, to wit:

Beginning at the intersection of the north 33 foot right-of-way line of West Broadway Street, and the west 33 foot right-of-way line of Main Street (State Highway No. 22); thence westerly along said northerly 33 foot right-of-way line on an azimuth of 270°03'41" (Base Bearing, north right-of-way line of East Broadway 270°00'00"), a distance of 1,763.69 feet; thence northerly on an azimuth of 000°40'20" a distance of 263.47 feet to a point 8.5 feet southeasterly at right angles to an existing spur track; thence northeasterly on an azimuth of 064°08'48" a distance of 335.28 feet to a point 410 feet north of said north right-of-way of West Broadway; thence easterly on an azimuth of 090°03'41" a distance of 459.22 feet to a point 8.5 feet southerly at right angles to an existing spur track; thence southeasterly and parallel to said spur on an azimuth of 098°17'17" a distance of 1,013.36 feet to a point on the west 33 foot right-of-way line of said Main Street (Highway No. 22); thence southerly on an azimuth of 180°40'20" a distance of 264.99 feet to the Point of Beginning.

Tract contains 628,271.7 square feet or 14.423 Acres.

DESCRIPTION

BLOCK 2 - GLACIER PARK ADDITION

That portion of the S4S4SW4 of Section 3, Township 139 North, Range 96 West of the 5th P.M., City of Dickinson, Stark County, North Dakota, more particularly described as follows, to wit:

Beginning at the intersection of the north 40 foot right-of-way line of East Broadway Street and the east 33 foot right-of-way line of Main Street (State Highway No. 22); thence North along the east line of said Main Street on an azimuth of 000°40'20" (Base Bearing, north right-of-way line of East Broadway 270°00'00"), a distance of 248.47 feet to a point 8.5 feet southerly of the most southerly spur track centerline; thence southeasterly along and 8.5 feet southerly of said spur track on an azimuth of 098°17'08" a distance of 299.66 feet; thence easterly on an azimuth of 090°03'15" a distance of 576.72 feet to a point 8.5 feet southerly of said spur track, and 20 feet west of the centerline of an existing plank crossing, as per agreement by parties in Book 117, pages 681-683; thence South on an azimuth of 180°00'00" a distance of 44.73 feet to a point 160 feet northerly of the north 40 foot right-of-way line of said East Broadway; thence East on an azimuth of 090°00'00" a distance of 792.48 feet; thence southerly along the westerly line of vacated Second Ave. E. on an azimuth of 186°03'53" a distance of 160.90 feet to a point on the northerly 40 foot right-of-way line of East Broadway; thence westerly along said right-of-way line on an azimuth of 270°00'00" a distance of 1651.65 feet to the Point of Beginning.

Tract contains 311,300 S.F. or 7.1465 Acres.

DESCRIPTION

BLOCK 3 - GLACIER PARK ADDITION

That portion of the S4S4SW4 and S4S4SE4 of Section 3, Township 139 North, Range 96 West of the 5th P.M., City of Dickinson, Stark County, North Dakota, more particularly described as follows, to wit:

Beginning at the southeast corner of the Southwest Quarter of said Section 3; thence North 40.00 feet to the True Point of Beginning; thence West along the north 40 foot right-of-way line of said SW4 on an azimuth of (Base Bearing) 270°00'00" a distance of 851.51 feet to the easterly right-of-way line of a 66 foot street (described in Book 114, pages 131-133); thence northeasterly along said right-of-way on an azimuth of 050°07'15" a distance of 507.35 feet; thence northeasterly along a 184.25 foot radius curve to the right on a long chord azimuth of 074°47'13" a long chord distance of 153.79 feet (arc length, 158.64 feet); thence easterly along the southerly 66 foot right-of-way of a road easement No. RW 4107, granted to the City of Dickinson by instrument dated October 25, 1940, on an azimuth of 099°27'11" a distance of 1108.74 feet to a point; thence southeasterly along a 683.20 foot radius curve to the right on a long chord azimuth of 107°45'30" a long chord distance of 197.37 (arc length, 198.06 feet); thence continuing along said north of the south line of said SE4; thence westerly along said northerly 40 foot right-of-way on an azimuth of 270°13'47" a distance of 1,230.17 feet to the Point of Beginning.

Tract contains 465,008 S.F. or 10.675 Acres.

I further certify that the accompanying plat correctly shows the above described tract of land and the manner in which it was subdivided into lots, blocks, and streets, that figures representing distance denote feet and decimals of a foot, and that iron pins were driven as shown.

STATE OF NORTH DAKOTA } ss
COUNTY OF STARK

Duane Wamre, Reg. L.S. N.D. No. 1171

The foregoing certificate was acknowledged before me this 2nd day of September 1990, by Duane Wamre.

My Commission Expires Sept 13, 1996

Notary Public, Stark Co., N.D.

PROPRIETOR'S CERTIFICATE

We, Dennis L. Schilling, Assistant Secretary of Glacier Park Company, a Delaware Corporation, and Larry Leopold, Assistant Vice President of said Corporation, Owners and Proprietors of "Glacier Park Addition" to the City of Dickinson, North Dakota in the S4S4SE4 of Section 4 and the S4S4SW4 and S4S4SE4 of Section 3, Township 139 North, Range 96 West, do hereby declare and certify that we have caused the same to be surveyed, staked out, and platted by Duane Wamre, registered Land Surveyor in the State of North Dakota, in the manner shown on the accompanying plat, as described in the Surveyor's Certificate. We further dedicate all utility easements and alleys as shown on said plat for public use forever.

IN WITNESS WHEREOF, we have hereunto subscribed our names

Dennis L. Schilling

Larry Leopold

STATE OF } ss
COUNTY OF

On this 28th day of September, 1990, before me, a Notary Public in and for said County and State, personally appeared Dennis L. Schilling and Larry Leopold, known to me to be the same persons who are described in the foregoing Proprietor's Certificate, who executed the same, and acknowledged that they executed the same.

My Commission Expires 10-15-91

Notary Public

APPROVAL CERTIFICATES

CITY COMMISSION APPROVAL:

Planning and Zoning Commission Approval:

City Engineer's Approval:

Document No.

State of North Dakota, } ss. Office of
County of Stark, } Register of Deeds

I hereby certify that the within instrument was filed in

this office for record on the _____ day of _____

19____ at _____ o'clock _____ M.,

and was duly recorded in Book _____ of _____

on Page _____

By _____ Register of Deeds

_____ Deputy

FEES _____

INSTRUMENT RETURNED TO _____

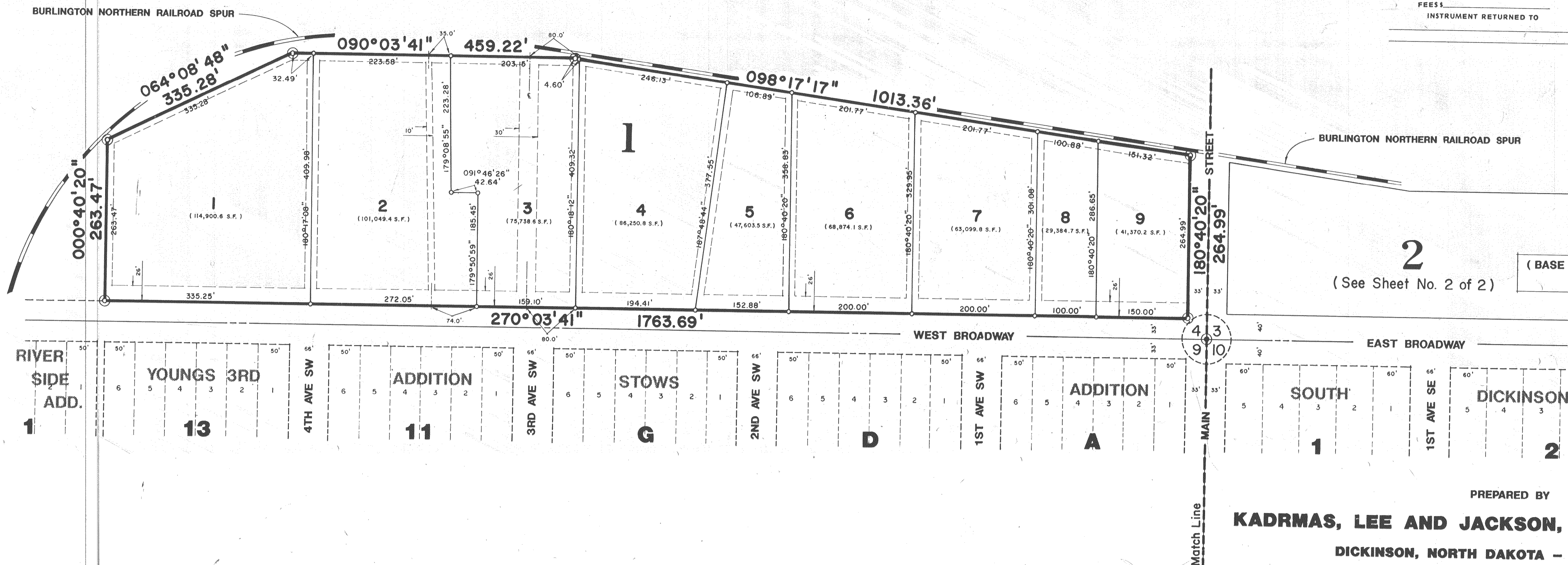
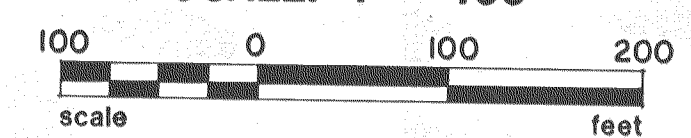
NOTE:

All utility easements are 10 feet unless otherwise noted and include: electric, gas, water, storm sewer, sanitary sewer, telephone and cable television.

LEGEND

- Iron Pin Found
- Boundary Corners Set
- Property Corners Set
- Utility Easements

SCALE: 1" = 100'



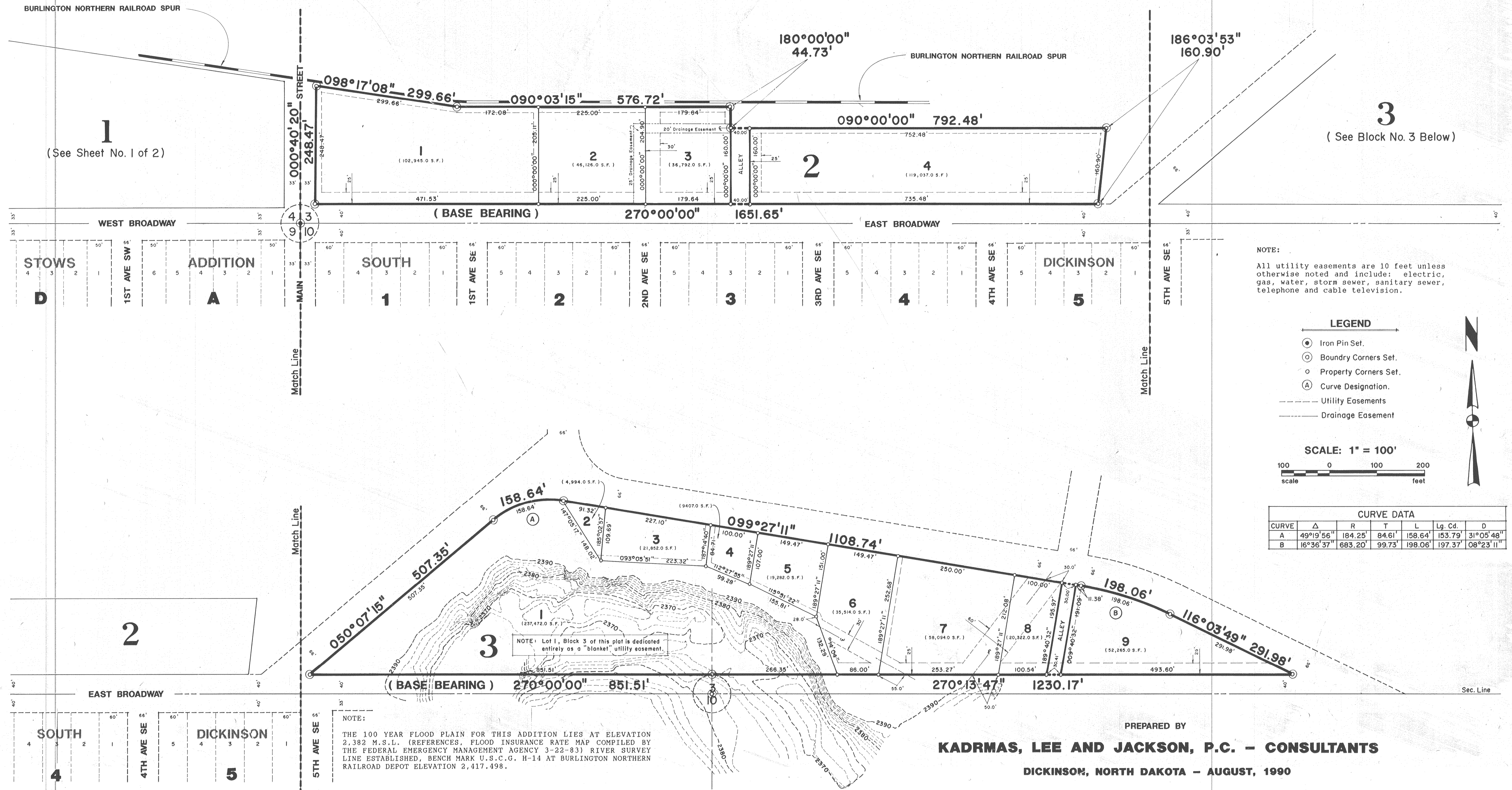
PREPARED BY

KADRMAS, LEE AND JACKSON, P.C. - CONSULTANTS

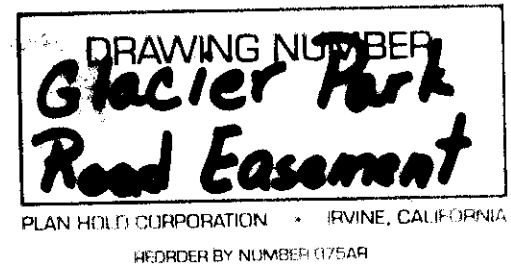
DICKINSON, NORTH DAKOTA - AUGUST, 1990

GLACIER PARK ADDITION

(BLOCKS 1, 2 AND 3, OF BURLINGTON NORTHERN RAILROAD PROPERTY)
CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA



79-E



ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, **TMI SYSTEMS DESIGN CORPORATION**, of 503rd Avenue West, Dickinson, ND 58601, ("Grantor") in consideration of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, do hereby grant unto the **CITY OF DICKINSON**, a municipal corporation of Dickinson, North Dakota 58601, its successors and assigns, ("Grantee"), a non-exclusive perpetual easement for public road purposes over and across the following described real estate situated in Stark County, North Dakota, to-wit:

LOTS 2 AND 3 OF BLOCK 2 OF THE GLACIER PARK ADDITION IN DICKINSON, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

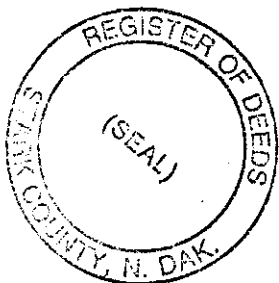
Commencing at the Southeast corner of said Lot 2 and the Point of Beginning; thence N. 90°00'00" W. along the South of said Lot 2 a distance of 15.00 feet to a point; thence N. 0°00'00" W. a distance of 204.91 feet to a point on the North line of said Lot 2; thence S. 89°56'45" E. along the North line of said Lot 2 a distance of 15.00 feet to the Northwest corner of said Lot 3; thence continuing S. 89°56'45" E. along the North line of said Lot 3 a distance of 20.00 feet to a point; thence S. 0°00'00" W. a distance of 204.89 feet to a point on the South line of said Lot 3; thence N. 90°00'00" W. along the South line of said Lot 3 a distance of 20.00 feet plus or minus to the Southeast corner of said Lot 2.

Said description contains 7,171.50 square feet more or less.

This easement shall be for purposes of providing a public road over and across the above-described property, together with the right of the City or any other utility to use said right of way to locate, construct, operate and maintain water, sewer, storm sewer, electricity, cable television, gas, or any other utility on said premises.

The Grantor reserves the right to use the above-described premises and road for all purposes which will not interfere with the Grantee's full enjoyment of the rights hereby granted.

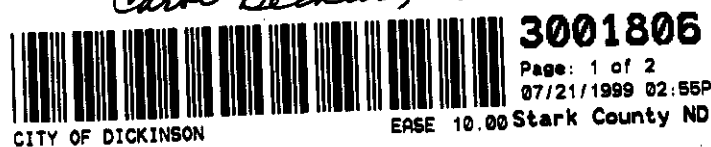
IN WITNESS WHEREOF, The undersigned Grantor has hereto set its hand this 31st day of March, 1999.



TMI SYSTEMS DESIGN CORPORATION

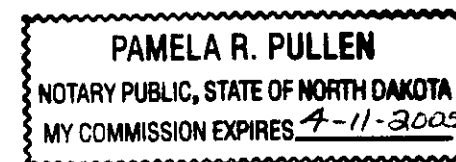
By: *Dean Kummel*, Its *EVP: COO*
GRANTOR

Carol Beckert, R.O.D.



STATE OF NORTH DAKOTA)
COUNTY OF STARK)

On this 31st day of March, 1999, before me, a Notary Public in and for said County and State personally appeared *Dean Kummel*, to me known to be the *EVP: COO* of the Corporation that is described in and that executed the within and foregoing instrument and severally acknowledged to me that such Corporation executed the same.



Pamela R. Pullen
PAMELA R. PULLEN, Notary Public
Stark County, North Dakota
My Commission Expires: *4-11-2005*

Auditor's Office, Stark Co., N.D.
Taxes and Special Assessments
paid and Transfer entered
Date *July 21, 1999*
Eileen Weiss Co. Auditor
By *Alice Schulz* Deputy



RESOLUTION NO. 02-99

A RESOLUTION APPROVING THE VACATION OF AN ALLEY IN BLOCK TWO OF GLACIER PARK ADDITION, CITY OF DICKINSON, NORTH DAKOTA, SUBJECT TO EXISTING UTILITY EASEMENTS.

WHEREAS, a petition has been duly submitted to the Board of City Commissioners of the City of Dickinson, North Dakota, requesting vacation of an alley within the City of Dickinson; and

WHEREAS, the Board of City Commissioners of said city, finding said petition to be in proper order, having heretofore caused Notice of Public Hearing on such petition to be duly published five times in the Dickinson Press on January 24, 31 and February 7, 14, 1999, together with a continuation notice published February 19, 1999; and

WHEREAS, said matter came on regularly to be heard before the Board of City Commissioners in and for the city of Dickinson on the 1st day of March, 1999, at 5:30 P.M., at the National Guard Armory Building in said city, in accordance with said Notice heretofore published as aforesaid. The Board of City Commissioners having heard and considered the testimony offered, and it appearing that said petition was signed by all of the owners of the property adjoining said alley, and the Commissioners being fully satisfied and having determined that the vacation of the alley herein described is in the best interests of the city of Dickinson, and no objection to such vacation has been filed or presented;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of City Commissioners of the City of Dickinson, North Dakota, that so much of that certain alley within the City of Dickinson, more particularly described as follows to wit:

A 40 FOOT WIDE BY 160 FOOT LONG ALLEY LOCATED BETWEEN LOT THREE (3), AND LOT FOUR (4), BLOCK TWO (2) OF THE GLACIER PARK ADDITION PLATTED IN THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA.

BE, AND THE SAME IS HEREBY VACATED in accordance with Chapter 40-39 of the North Dakota Century Code, SUBJECT, HOWEVER, to any and all prior easements, reservations and exceptions now of record.

BE IT FURTHER RESOLVED that a certified copy of this resolution, duly certified by the City Administrator, be filed for record and duly recorded in the Office of the Register of Deeds of Stark County, North Dakota, and that such resolution shall thereafter have the effect of conveying to the abutting property owners all of the remaining right, title and interest to the city of Dickinson in and to the above described portion of the alley, which is hereby vacated.

The above resolution was introduced by Commissioner Tim Beaudoin, and duly seconded by Commissioner Gene Gendreau. Upon vote thereon, President Fred S. Gengler and Commissioners Joe Frenzel, Bonnie Foss, Tim Beaudoin and Gene Gendreau voted in favor thereof and none voted against the same. Said resolution was declared duly passed and adopted by unanimous vote.

Dated this 1st day of March, 1999.

Fred S. Gengler
Fred S. Gengler, President
Board of City Commissioners

ATTEST:

Greg Sund
Greg Sund, City Administrator

Carol Beckert, R.O.S.
3001807
Page: 1 of 2
07/21/1999 02:55P
CITY OF DICKINSON
RESO 13.00 Stark County ND

-1-

CERTIFICATION

This will certify that the foregoing is a true, correct and complete copy of the RESOLUTION APPROVING THE VACATION OF A 40 FOOT WIDE BY 160 FOOT LONG ALLEY LOCATED BETWEEN LOT THREE (3) AND LOT FOUR (4), BLOCK TWO (2), OF THE GLACIER PARK ADDITION PLATTED IN THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA, SUBJECT TO EXISTING UTILITY EASEMENTS, which said resolution was passed by the Board of City Commissioners of the city of Dickinson, Stark County, North Dakota, at its regular meeting held March 1, 1999, and of record in the minutes thereof.

Dated this 1st day of March, 1999.



STATE OF NORTH DAKOTA)
Ss
COUNTY OF STARK)

On the 1st day of March, 1999, before me personally appeared Greg Sund, City Administrator, City of Dickinson, North Dakota, known to me to be the same person described above and who executed the within and foregoing instrument and acknowledged to me that he executed the same.

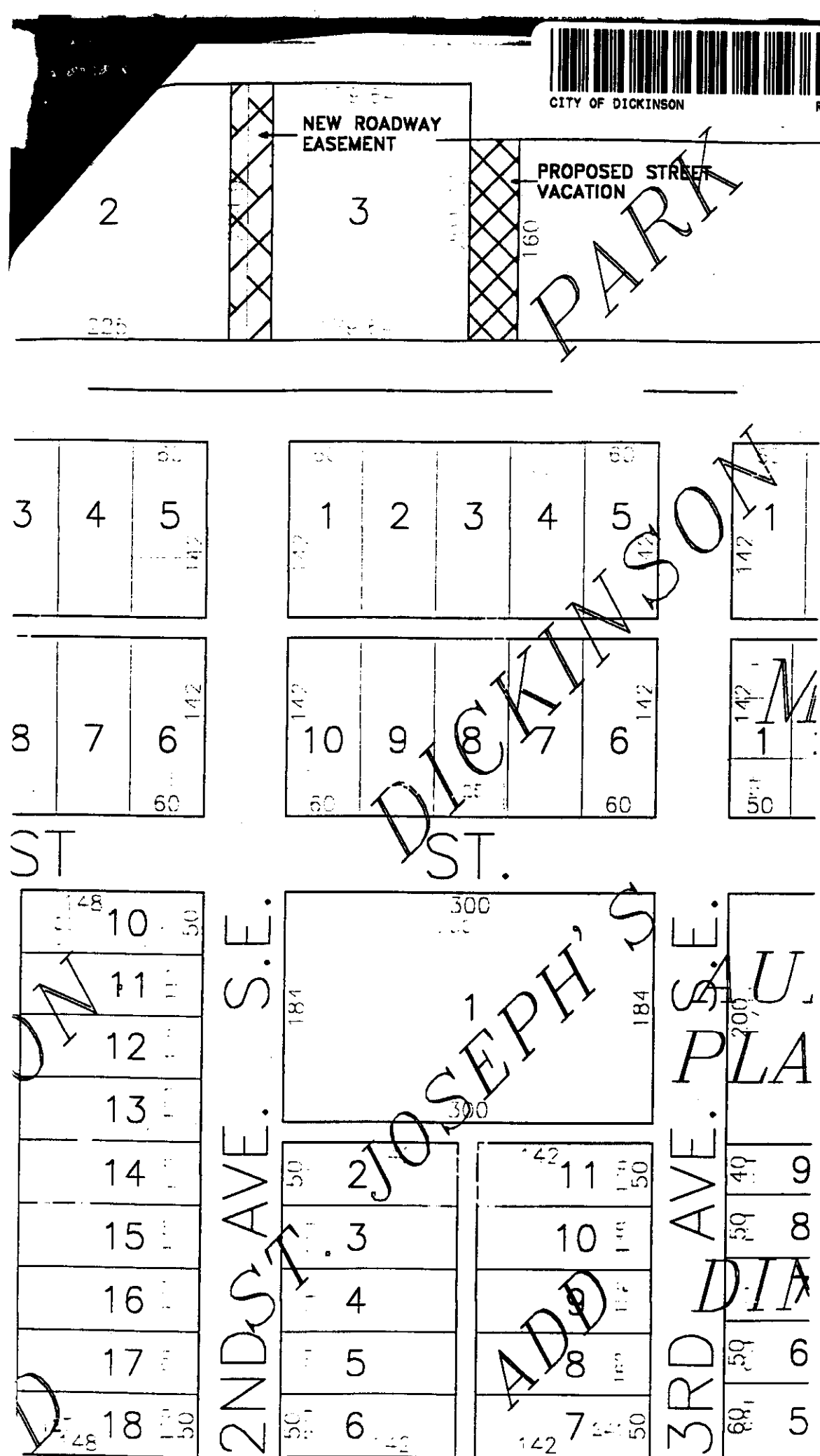


Cindy Selinger
Cindy Selinger, Notary Public
Stark County, North Dakota
My Commission expires: 6-28-2001

Auditor's Office, Stark Co., N.D.
Taxes and Special Assessments
paid and Transfer collected
Date: July 21, 1999
Sileen Davis
Co. Auditor
By *Alice Schulz* Deputy

3001807
Page: 2 of 2
07/21/1999 02:55P
CITY OF DICKINSON
RESO 13.00 Stark County ND

-2-



RESOLUTION NO. 41 - 2020

**A RESOLUTION APPROVING VACATION OF A UTILITY EASEMENT
WITHIN GLACIER PARK ADDITION, CITY OF DICKINSON, NORTH
DAKOTA**

WHEREAS, an application for vacation of a certain utility easement has been filed by the adjoining property owner thereof; and

WHEREAS, such application for vacation of a utility easement has been signed by all affected public utility companies reasonably expected to have use of such utility easement, indicating their consent to the vacation of such utility easement; and

WHEREAS, such application for vacation of a utility easement has been signed by the City of Dickinson Engineering Department, the City Engineer having consented to the vacation of such utility easement; and

WHEREAS, the City Engineer, finding the application to be in proper order, and pursuant to Dickinson City Code §34.120, has heretofore caused a Notice of Hearing on such application to be duly published in the official newspaper of the City, such publication occurring on December 9, 2020; and

WHEREAS, the matter came on regularly to be heard before the Board of City Commissioners on December 15, 2020, a day not less than seven days following the publication of the Notice of Hearing, at 4:30 p.m., or as soon thereafter as the parties could be heard, in accordance with the Notice of Hearing previously published; and

WHEREAS, the Board of City Commissioners duly having heard and considered the matter, and the Commissioners being fully satisfied and having determined that the vacation of the utility easement herein described is in the best interests of the City of Dickinson, and no objection to such vacation having been filed or presented;

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners of the City of Dickinson, North Dakota, as follows:

1. That certain public utility easement within the City of Dickinson is hereby vacated in accordance with state law and the ordinances of the City of Dickinson, such public utility easement being more particularly described as follows and located in the City of Dickinson, Stark County, North Dakota:

20' foot easement between Lots 3 and 4, Block 1 of Glacier
Park Addition excluding the north 10 feet and the south 26 feet

2. Pursuant to Dickinson City Code 34.120(4), this resolution is passed by no less than a two-thirds majority.

3162802

12/29/2020 04:03:32 PM Page: 1 of 3
Resolutions \$20.00 City Of Dickinson
Kimberly Kasian, Stark County, ND Recorder



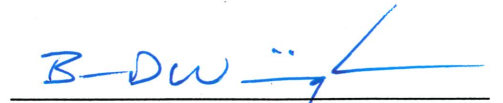
3. A certified copy of this resolution shall be filed for record and duly recorded on the Office of the Stark County Recorder, Stark County, North Dakota.

Dated this 15th day of December, 2020.



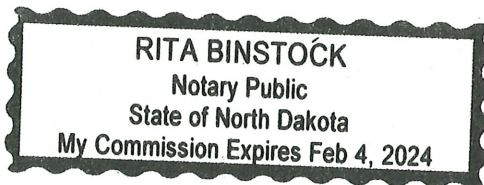
Scott Decker, President
Board of City Commissioners

ATTEST:


Brian Winningham, City Administrator

STATE OF NORTH DAKOTA)
 :SS
COUNTY OF STARK)

On this 15th day of December 2020, before me personally appeared **Scott Decker** and **Brian Winningham**, known to me, respectively, as the President of the Board of City Commissioners of the City of Dickinson and the City Administrator of the City of Dickinson, and who executed the within and foregoing document and acknowledged to me that the City of Dickinson executed the same.


Notary Public

3162802

12/29/2020 04:03:32 PM Page: 2 of 3
Resolutions \$20.00 City Of Dickinson
Kimberly Kasian, Stark County, ND Recorder





RETURN TO:

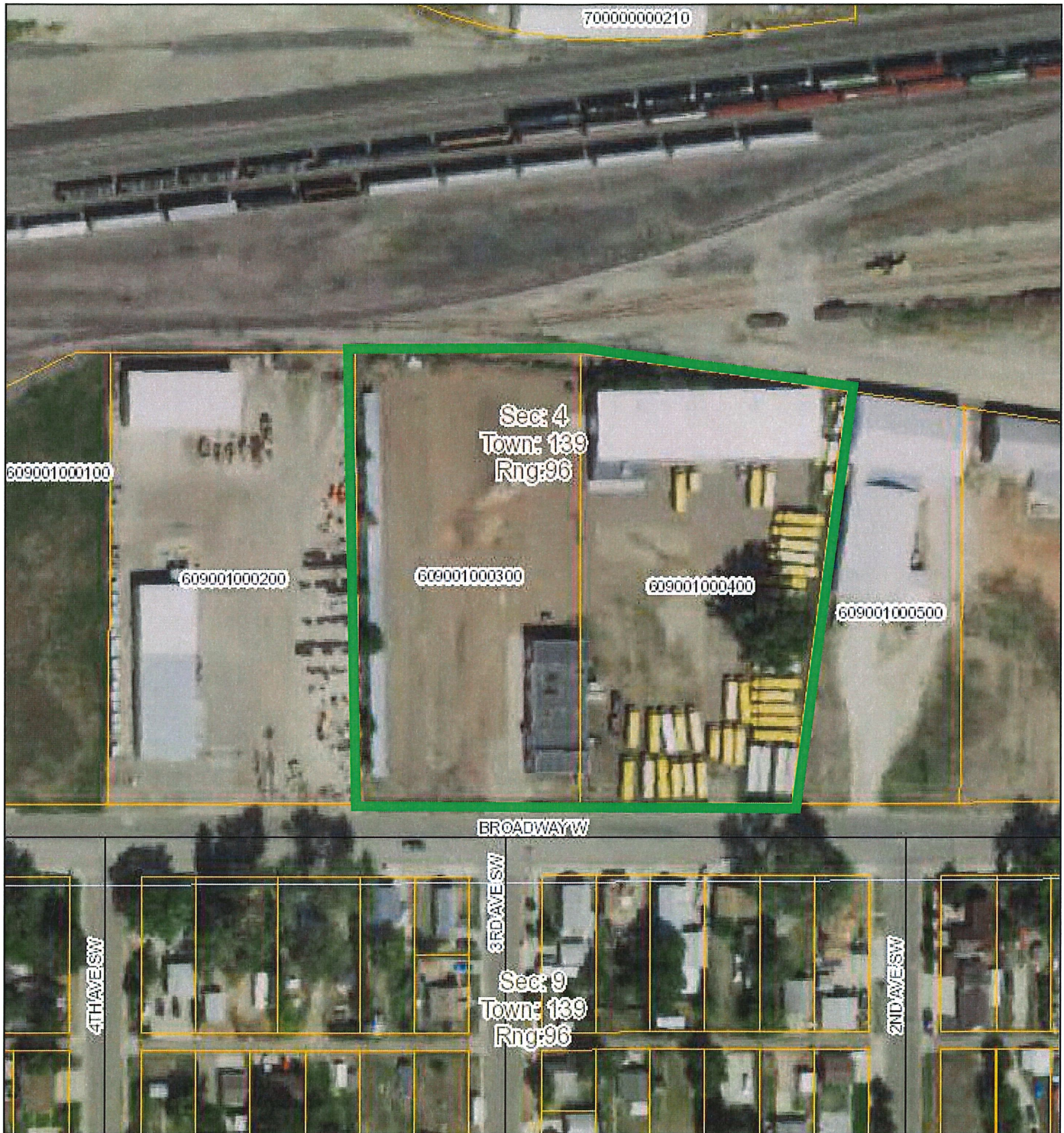
CITY OF DICKINSON
99 2ND STREET EAST
DICKINSON, ND 58601-5222

Kimberly Kasian

3162802

12/29/2020 04:03:32 PM Page: 3 of 3
Resolutions \$20.00 City Of Dickinson
Kimberly Kasian, Stark County, ND Recorder





April 22, 2020

Legend

- Roads
- Parcels
- Sections

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:2,257

