

FARGO CITY COMMISSION AGENDA
Monday, February 2, 2026 - 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/Streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/CityCommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, January 20, 2026).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. Application for Abatement or Refund of Taxes #4633 for the property located at 1108 18th Street North requesting a reduction in value for 2025 from \$221,600.00 to 70,000.00; staff is recommending a reduction in value to \$84,400.00 for 2025.
- 2. Application for Abatement or Refund of Taxes #4634 for the property located at 1122 4th Avenue North requesting a reduction in value for 2024 from \$281,200.00 to \$181,800.00; staff is recommending a reduction in value to \$181,800.00 for 2024.
- 3. Application for Abatement or Refund of Taxes #4635 for the property located at 1122 4th Avenue North requesting a reduction in value for 2025 from \$281,200.00 to \$181,800.00; staff is recommending a reduction in value to \$181,800.00 for 2025.
- 4. Waive requirement to receive and file an Ordinance one week prior to 1st reading and 1st reading of an Ordinance Amending Section 21-0601.1 A of Article 21-06 of Chapter 21 of the Fargo Municipal Code Relating to Flood Plain Management.
- 5. Settlement Agreement and Release with Joyce B. Cole Trust U/A dated 1/16/92.
- 6. Applications for Games of Chance.
- 7. Memorandum of Understanding - Storm Water Pond and Park Facilities with the Park District of the City of Fargo.
- 8. Permanent Easement (Water Main) with John T. Jones Construction, Inc.
- 9. 2026 Truck Route Map Changes for Overdimensional Vehicles.
- 10. Contribution Agreement with Cass County Electric Cooperative for sink hole repairs at 23rd Avenue South and 55th Street.
- 11. Developer Agreement with GH Properties, LLC for property located in the 500 block of 18th Street North.
- 12. Revision to the Sanitary Sewer Service Repair Policy.

13. Purchase Agreement with Jason R. Eid as Personal Representative of the Estate of Gerald D. Eid (Project No. BN-26-D1).
14. Purchase Agreement with Brookstone Property LLC (Project No. BN-26-D1).
15. Change Order No. 6 in the amount of \$1,162.55 for Project No. TN-24-A1.
16. Bid advertisement for Project No. PR-26-B.
17. Bid advertisement for Project No. SR-26-A.
18. Permanent Easement (Street and Utility) with Fargo Public School District No. 1 (Improvement District No. BR-26-G1).
19. Amendment No. 1 in the amount of \$13,365.00 for Improvement District No. BN-24-B2.
20. Amendment No. 4 in the amount of \$383,715.00 for Improvement District No. BR-23-G0.
21. ND Department of Transportation Preliminary Engineering Reimbursement Agreement (Improvement District No. PR-28-A1).
22. Declare protests insufficient for Improvement District No. BR-23-A.
23. Declare protests insufficient for Improvement District No. BR-26-H.
24. Create Improvement District No. BR-26-C and adopt Resolution of Necessity (Paving and Utility Rehab/Reconstruction).
25. Create Improvement District No. PR-26-C and adopt Resolution of Necessity (Seal Coat).
26. Bid awards for HVAC Project at Police Department Headquarters (ITB26052):
 - a. Gast Construction Company, Inc. in the amount of \$180,100.00 (general contract).
 - b. Peterson Mechanical, Inc. in the amount of \$1,137,300.00 (mechanical contract).
27. Third Amendment to Agreement between Ovations Food Services, LP d/b/a OVG Hospitality (f/k/a Spectra Food Services & Hospitality) and the Fargo Dome Authority.
28. Items from FAHR Meeting:
 - a. Receive and file Sales Tax Update - Accrual basis.
 - b. Purchase of the EHS Insight claims module for 2026 at a cost of \$9,132.49.
29. Amendment to the Findings of Fact, Conclusions and Order for property located at 1544 3rd Avenue South to allow a 60-day extension of time to 3/27/26.
30. Professional Services Agreement - Data Collection/Data Processing with Fugro USA Land, Inc. (RFP26019).
31. Agreement with Trimble, Inc. for cloud hosted version of Cityworks software (EX26087).
32. Cyber Incident IT Mutual Aid Agreement with Cass County and West Fargo.
33. Bid award to Sanitation Products in the amount of \$216,371.00 for the purchase of one three wheeled mechanical street sweeper (RFP26260).

34. Bid award to Northdale Oil, Inc. in the amount of \$967,520.00 for the purchase of fuel for the 3rd and 4th quarters of 2026 and execute the Forward Fuel Contract (RFP26065).
35. Bid awards for Aggregate Materials, Concrete, Concrete Materials, Asphalt, Emulsified Asphalt and black dirt as presented (RFP26064).
36. Bid award to Johnson & Schock Excavating in the amount of \$794,945.00 for Project No. WA2504.
37. Bills.

REGULAR AGENDA:

PUBLIC HEARINGS - 5:05 pm:

38. **PUBLIC HEARING** – CONTINUED to 3/2/26 - Application for a Class “GH” Alcoholic Beverage License for Moonrise Café LLC d/b/a Moonrise Café LLC to be located at 111 Broadway North.
39. **PUBLIC HEARING** – CONTINUED to 3/2/26 - Application for a Class “VWB” Alcoholic Beverage License for Cellar 624, LLC d/b/a Cellar 624 to be located at 624 Main Avenue, Suite 5.
40. **PUBLIC HEARING** – CONTINUED to 3/2/26 – Application for a Class “FA-RZ” Alcoholic Beverage License for Dakota Food Group LLC d/b/a Teddy’s to be located at 624 Main Avenue, Suite 4.
41. **PUBLIC HEARING** – RLN Business Park Third Addition (4583 33rd Street North and 3108 46th Avenue North); approval recommended by the Planning Commission on 10/7/25:
 - a. Zoning Change from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional.
 - b. 1st reading of rezoning Ordinance.
 - c. Plat of RLN Business Park Third Addition.
42. 2025 Downtown Fargo Business Improvement District Overview.
43. Design decision for the 12th Avenue North bridge project.
44. Application for Abatement or Refund of Taxes #4632 for the property located at 1112 10th Street North requesting a reduction in value for 2024.
45. Applications for Property Tax Exemptions for Improvements Made to Buildings:
 - a. Shannon and Peter Chamberlin (5 years).
 - b. James and Kristi Kirkeby (5 years).
 - c. Jade and Laney Witty (5 years).
 - d. Roger and Lynn Burris (5 years).
 - e. Darin and Katherine Sherva (5 years).
46. Liaison Commissioner Assignment Updates.
47. **PUBLIC COMMENTS (2.5 minutes will be offered for comment with a maximum of 30 minutes total for all public comments. Individuals who would like to address the**

Commission, whether virtually or in person, must sign-up at FargoND.gov/VirtualCommission).

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/CityCommission.

City of Fargo Staff Report			
Title:	RLN Business Park Third Addition	Date:	10/1/2025 1/28/2026
Location:	4583 33 rd Street North; 3108 46 th Avenue North	Staff Contact:	Alayna Espeseth, Assistant Planner
Legal Description:	part of the Northwest Quarter of the Southeast Quarter of Sec. 14, T140N R49W; Lots 4, 5, & 6, Block 1, RLN Business Park Second Addition		
Owner(s)/Applicant:	RLN Business Park, LLC; Robert L. Nelson Revocable Trust	Engineer:	Lowry Engineering
ntitlements Requested:	Major Subdivision (a plat of part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 140 North, Range 49 West, and a replat of Lots 4, 5, & 6, Block 1, RLN Business Park Second Addition), Vacation of Right-of-Way (ROW) (portions of 46 th Avenue North right-of-way) and Zone Change (from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional zoning districts)		
Status:	City Commission Public Hearing: February 2, 2026		

Existing	Proposed
Zoning: LI, Limited Industrial and AG, Agricultural	Zoning: LI, Limited Industrial and P/I, Public and Institutional
Uses Allowed: LI – Limited Industrial. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open areas, religious institutions, safety services, basic utilities, adult establishment, offices, off-premise advertising signs, commercial parking, outdoor recreation and entertainment, retail sales and service, self-service storage, vehicle repair, limited vehicle service, industrial service, manufacturing and production, warehouse and freight movement, wholesale sales, aviation, surface transportation, and certain telecommunications facilities. AG – Agricultural. Allows detached houses, parks and open space, safety services, basic utilities, crop production and certain telecommunication facilities.	Uses Allowed: LI – No change P/I – Public and Institutional. Allows colleges, community service, daycare centers of unlimited size, detention facilities, health care facilities, parks and open space, religious institutions, safety services, schools, offices, commercial parking, outdoor recreation and entertainment, industrial service, manufacturing and production, warehouse and freight movement, waste related use, agriculture, aviation, surface transportation, major entertainment events and certain telecommunication facilities.
Maximum Density Allowed in AG: Allows a maximum of 1 dwelling unit per 10 acres.	Maximum Density Allowed: None

Maximum Lot Coverage Allowed in LI: 85%	Maximum Lot Coverage Allowed in LI: No change Maximum Lot Coverage Allowed in P/I: Dimensional standards of adjacent zoning district (LI)
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Proposal:

1. **Major Subdivision**, entitled *RLN Business Park Third Addition*, a plat of part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 140 North, Rand 49 West, and a replat of Lots 4-6, Block 1, RLN Business Park Second Addition
2. **Vacation of Right-of-Way (ROW)**; portions of 46th Avenue North.
3. **Zone Change** from LI, Limited industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional.

Surrounding Land Uses and Zoning Districts:

- North: AG, Agricultural, undeveloped.
- East: AG, Agricultural with Drain 10.
- South: GI, General Industrial with industrial uses.
- West: GI, General Industrial with industrial uses.

Area Plans:

The 2024 Fargo Growth Plan depicts the place type designation as "General Industrial and Flex Warehouse." Primary uses within this place type are light and general industrial and flex warehouse. Secondary uses are commercial uses specifically related to the primary use. The proposed zoning is consistent with this place type.

Schools and Parks:

Schools: The subject property is located within the Fargo School District and is served by Washington Elementary, Benjamin Franklin Middle and Fargo North High schools.

Neighborhood: The subject property is not located within a designated neighborhood.

Parks: The North Softball Complex is approximately 1.5 miles northwest of the subject property.

Pedestrian / Bicycle: There are no on-road or off-road bike facilities adjacent to this property.

MATBUS Route: The subject property is not on a MATBUS route at this time.

Staff Analysis:**MAJOR SUBDIVISION**

The applicant is seeking approval for a major subdivision located at 4583 33rd Street North and 3108 46th Avenue North. The request is to combine part of the Northwest Quarter of the Southeast Quarter of Section 14, Township 140 North, Range 49 West and Lots 4-6, Block 1 RLN Business Park Second Addition into a 3 lot, 1 block major subdivision entitled, **RLN Business Park Third Addition**. The applicant is requesting to vacate utility easements with this plat and has provided documentations that no utility companies are within these easements.

(Continued on next page.)

ZONE CHANGE

The applicant is requesting the following zone changes:

1. Lot 1, Block 1 of RLN Business Park Third Addition to remain LI, Limited Industrial.
2. Lot 2, Block 1 of RLN Business Park Third Addition from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial.
3. Lot 3, Block 1 of RLN Business Park Third Addition from AG, Agricultural to P/I, Public and Institutional.

175 FOOT DRAIN SETBACK

The subject property abuts Cass County Drain No. 10 on the southeast side. Land Development Code Section 20-0610.F requires that no subdivision may be approved without a notation and delineation of an area 175 feet from the centerline of any legal drain and the applicant for subdivision approval will be required to dedicate such areas to the public for purposes of such drain. This plat will be dedicating Lot 3, Block 1 to the Southeast Cass Water Resource District for this purpose. A motion was made and approved by the Southeast Cass Water Resource District Board at the September 9th, 2025 meeting to include Southeast Cass Water Resource District as a signatory on the plat.

ACCESS

The applicant has amended and restated their Declaration of Covenants to grant ingress and egress to the property through Lot 13, Block 1 of RLN Business Park Second Addition to allow Lot 2, Block 1 RLN Business Park Third Addition to take access from 33rd Street North.

VACATION OF ROW

Portion of 46th Avenue North along the north side of this plat will be vacated. A street and utility easement will be retained if this roadway becomes necessary in the future.

EASEMENTS

The project includes one easement to be granted by the City:

1. Street and Utility Easement in the location of the portion of 46th Avenue North that is being vacated.

This easement is attached. Approval of this easement is included in the approval motion.

AGREEMENTS

A proximity agreement for the subdivision has been signed by the property owners. This is a standard agreement between the City of Fargo and owners of property in close proximity to Hector International Airport and the overflow sewage lagoons. With this agreement, the property owners acknowledge the existence of these facilities and the potential for aircraft noise and sewage odor. The City Commission will take final action on this agreement. This agreement is attached. Approval of this agreement is part of the approval motion.

This project was reviewed by the City's Planning and Development, Engineering, Public Works, and Fire Departments ("staff"), whose comments are included in this report.

Notices of the proposed vacation have been sent out to property owners within 300 feet of the subject property. To date, staff has received no comment on the application.

(Continued on next page.)

Major Subdivision

The LDC stipulates that the following criteria is met before a major plat can be approved:

1. **Section 20-0907.C.1 (Development Review Procedures—Subdivisions—Major Subdivisions) of the LDC stipulates that no major subdivision plat application will be accepted for land that is not consistent with an approved Growth Plan or zoned to accommodate the proposed development.**

The 2024 Fargo Growth Plan depicts the place type designation as “General Industrial and Flex Warehouse.” Primary uses within this place type are light and general industrial and flex warehouse. Secondary uses are commercial uses specifically related to the primary use. The proposed zoning is consistent with this place type. The Subject property is to be zoned LI, Limited Industrial and P/I, Public and Institutional (due to the proximity of Drain No. 10. Lot 3, Block 1 is not a buildable lot). Uses allowed in LI, Limited Industrial include office uses, retail sales and service, wholesale sales, and warehousing and freight movement. This zoning is consistent with the Fargo Growth Plan 2024 designation. In accordance with Section 20-0901.F of the LDC, notices of the proposed plat have been sent out to property owners within 300 feet of the subject property. At the time of publication, Staff have not received any comments or inquiries about the project. **(Criteria Satisfied)**

2. **Section 20-0907.4 of the LDC further stipulates that the Planning Commission shall recommend approval or denial of the application and the City Commission shall act to approve or deny, based on whether it is located in a zoning district that allows the proposed development, complies with the adopted Area Plan, the standards of Article 20-06 and all other applicable requirements of the Land Development Code.**

The subject property is proposed to be zoned LI, Limited Industrial and P/I, Public and Institutional. As noted in the zone change findings below, these zones are consistent with the place type designation of the Fargo Growth Plan 2024. The project has been reviewed by the city’s Planning, Engineering, Public Works, Inspections, and Fire Departments. **(Criteria Satisfied)**

3. **Section 20-907.C.4.f of the LDC stipulates that in taking action on a Final Plat, the Board of City Commissioners shall specify the terms for securing installation of public improvements to serve the subdivision.**

Any public improvements associated with the project (whether rehabilitation of existing infrastructure or new proposed improvements) will be funded in accordance with the City’s Infrastructure Funding Policy, which may include the use of special assessments. City staff worked with the applicant to develop an amenities plan that define certain aspects of the development. This amenities plan has been reviewed by the Public Works Project Evaluation Committee (PWPEC) and has been signed by the owner and City Engineer. **(Criteria Satisfied)**

ROW Vacation:

The City of Fargo does not currently have any adopted regulation dealing with the vacation of right-of-way. However, city policy requires that any applicant wishing to vacate right-of-way must submit a Vacate Application—a one-page form wherein the petitioner provides: a description of the area to be vacated and signatures of all property owners adjoining the area to be vacated. In addition, the applicant

must submit a vacation plat (a major subdivision). Notwithstanding the Land Development Code's (LDC) silence on the matter, the North Dakota Century Code (N.D.C.C) does address the opening and vacating of roadways in Chapter 40-39 (inside municipal limits). To that end, the balance of this report will focus on the specific approval criteria outlined within Chapter 40-39 of the N.D.C.C.

1. **N.D.C.C. 40-39-04. Vacation of streets and alleys where sewers, water mains, pipes, and lines located – Conditions.** No public grounds, streets, alleys, or parts thereof over, under, or through which have been constructed, lengthwise, any sewers, water mains, gas, or other pipes or telephone, electric, or cable television lines, of the municipality or the municipality's grantees of the right of way thereof, may be vacated unless the sewers, mains, pipes, or lines have been abandoned and are not in use, or unless the grantee consents, thereto, or unless perpetual easements for the maintenance of sewers, water mains, gas, or other pipes, or telephone, electric facilities, whether underground or aboveground, is subject to the continued right of location of such electric facilities in the vacated streets.

The applicant contacted all potential utility providers and provided documentations that there is not utilities in the portion of 46th Avenue North that is to be vacated. A street and utility easement is proposed in the location of 46th Avenue North that is to be vacated in case this roadway becomes necessary in the future. **(Criteria Satisfied)**

2. **N.D.C.C. 40-39-05. Petition for vacation of streets, alleys, or public grounds – Contents – Verification.** No public grounds, streets, alleys, or parts thereof within a municipality shall be vacated or discontinued by the governing body except on a petition signed by all of the owners of the property adjoining the plat to be vacated. Such petition shall set forth the facts and reasons for such vacation, shall be accompanied by a plat of such public grounds, streets, or alleys proposed to be vacated, and shall be verified by the oath of at least one petitioner.

It was the City's request of the applicant to include the vacation of portions of 46th Avenue North in their plat. **(Criteria Satisfied)**

3. **N.D.C.C 40-39-06. Petition filed with city auditor – Notice published – Contents of notice.** If the governing body finds that the petition for vacation is in proper form and contains the requisite signatures, and if it deems it expedient to consider such petition, it shall order the petition to be filed with the city auditor who shall give notice by publication in the official newspaper of the municipality at least once each week for four weeks. The notice shall state that a petition has been filed and the object thereof, and that it will be heard and considered by the governing body or a committee thereof on a certain specified day which shall not be less than thirty days after the first publication of the notice.

The vacation plat has been advertised as required by this section prior to the February 2, 2026 City Commission hearing. **(Criteria Satisfied)**

4. **N.D.C.C. 40-39-07. Hearing on petition – Passage of resolution declaring vacation by governing body.** The governing body, or such committee as may be appointed by it, shall investigate and consider the matter set forth in the petition specified in section 40-39-05 and, at the time and place specified in the notice, shall hear the testimony and evidence of persons interested. After hearing the testimony and evidence or upon the report of the committee favoring the granting of the petition, the governing body, by a resolution passed by a two-thirds vote of all its members, may declare the public grounds, streets, alleys, or highway described in the petition vacated upon such terms and conditions as it shall deem just and reasonable.

This action will be taken by the City Commission at their February 2, 2026 hearing. **(Criteria Satisfied)**

Zone Change:

Section 20-0906. F (1-4) of the LDC stipulates the following criteria be met before a zone change can be approved:

1. Is the requested zoning change justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map?

Staff is unaware of any error in the zoning map as it relates to this property. The property is currently zone LI, Limited Industrial and AG, Agricultural. The proposed zoning districts are LI, Limited Industrial and P/I, Public and Institutional. The required 175' setback area from Drain 10 is shown as Lot 3, Block 1. Lot 3, Block 1 is proposing to rezone to P/I, Public and Institutional and this lot will be dedicated with this plat to Southeast Cass Water Resource District. Lot 1, Block 1 will remain as LI, Limited Industrial and Lot 2, Block 1 is proposing to rezone from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial. **(Criteria Satisfied)**

2. Are the City and other agencies able to provide the necessary public services, facilities, and programs to serve the development allowed by the new zoning classifications at the time the property is developed?

City staff and other applicable review agencies have reviewed this proposal. Staff finds no deficiencies in the ability to provide all of the necessary services to the site. The subject property is adjacent to an existing developed public right-of-way, which will be provide public utilities to serve the property. **(Criteria Satisfied)**

3. Will the approval of the zoning change adversely affect the condition or value of the property in the vicinity?

Staff has no documentation or evidence to suggest that the approval of this zoning change would adversely affect the condition or value of the property in the vicinity. Written notice of the proposal was sent to all property owners within 300 feet of the subject property. To date, Planning staff has received no comments or inquiries about the project. Staff finds that the approval of the zoning change will not adversely affect the condition or value of the property in the vicinity. **(Criteria Satisfied)**

4. Is the proposed amendment consistent with the purpose of this LDC, the Growth Plan, and other adopted policies of the City?

The purpose of the LDC is to implement Fargo's Comprehensive Plan in a way that will protect the general health, safety, and welfare of the citizens. Staff finds that the proposed zone change is consistent with the purpose of the LDC, Fargo Growth Plan 2024, and other adopted policies of the City. **(Criteria Satisfied)**

Staff Recommendation:

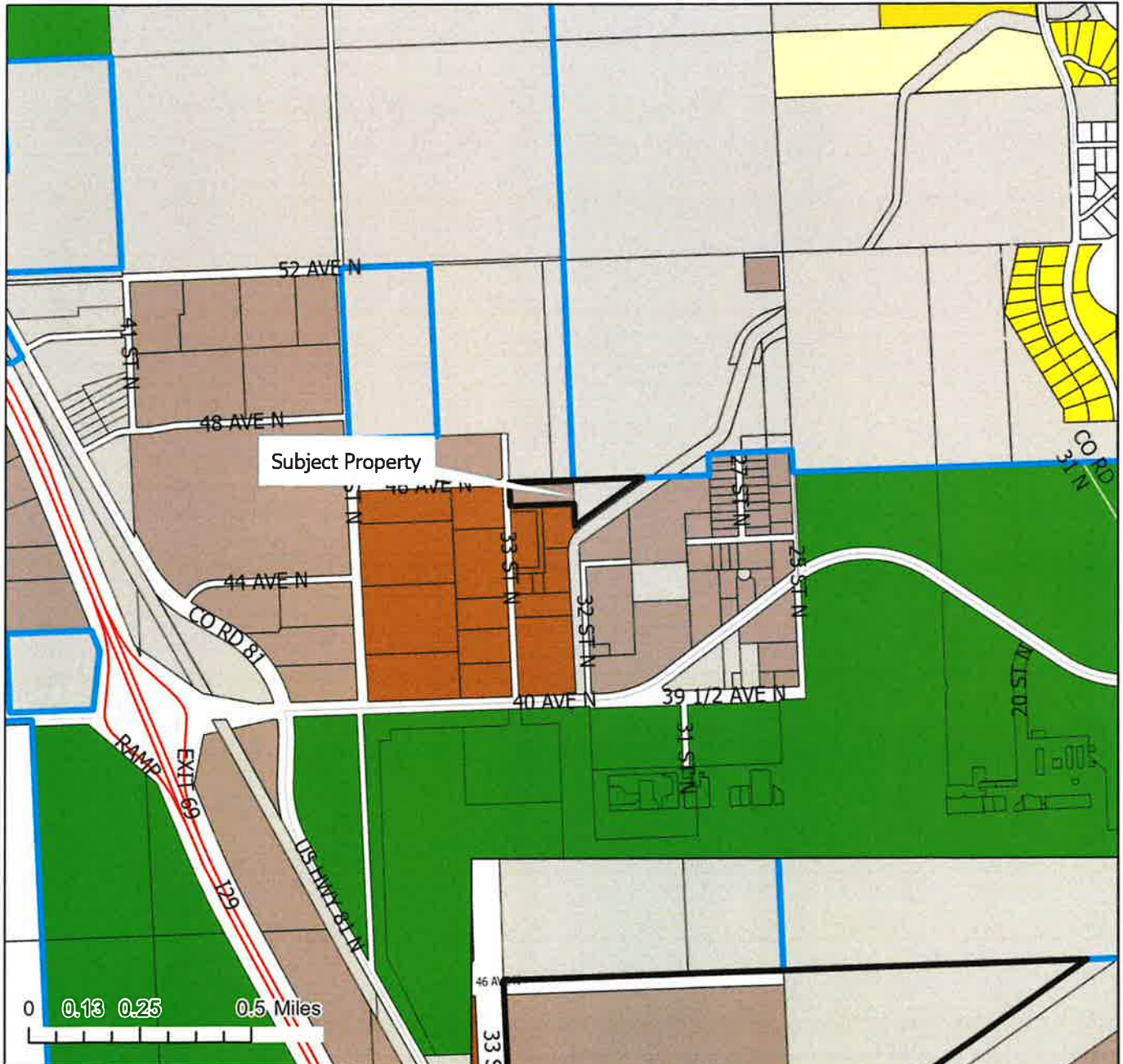
Suggested Motion: "To accept the findings and recommendations of the Planning Commission and staff and hereby waive the requirement to receive the zoning Ordinance one week prior to the first reading and place the zoning Ordinance on the first reading and move to approve the proposed: 1) zone change from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional; 2) **RLN Business Park Third Addition** (including the right-of-way vacation) major subdivision plat as presented; 3) the one easement noted above; and 4) the proximity agreement as noted above, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, Section 20-0907 of the LDC, North Dakota Century Code Chapter 40-39 and all other applicable requirements of the LDC."

Planning Commission Recommendation: October 7, 2025
<p>At the October 7th, 2025 Planning Commission hearing by a vote of 6-0 with five Commissioners absent, moved to accept the findings and recommendations of staff and recommended approval to the City Commission the proposed: 1) zone change from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional; and 2) RLN Business Park Third Addition (including the right-of-way vacation) major subdivision plat as presented, as the proposal complies with the Fargo Growth Plan 2024, Standards of Article 20-06, Section 20-0906.F (1-4), Section 20-0907 of the LDC, North Dakota Century Code Chapter 40-39 and all other applicable requirements of the LDC.” <i>(NOTE: The easement and proximity agreement were not included in the Planning Commission approval motion as that Commission would take no action on these items easement.)</i></p>
Attachments:
<ol style="list-style-type: none"> 1. Zoning map 2. Location map 3. Preliminary plat 4. Proposed zoning exhibit 5. Street and Utility Easement 6. Proximity Agreement

Major Subdivision, Vacation of part of 46th Avenue North and Zone Change from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional

RLN Business Park Third Addition

4583 33rd Street North;
3108 46th Avenue North



Legend

AG	DMU	GC	GO
LI	MHP	MR-1	MR-3
NC	NO	P/I	SR-2
SR-3	SR-4	SR-5	UMU

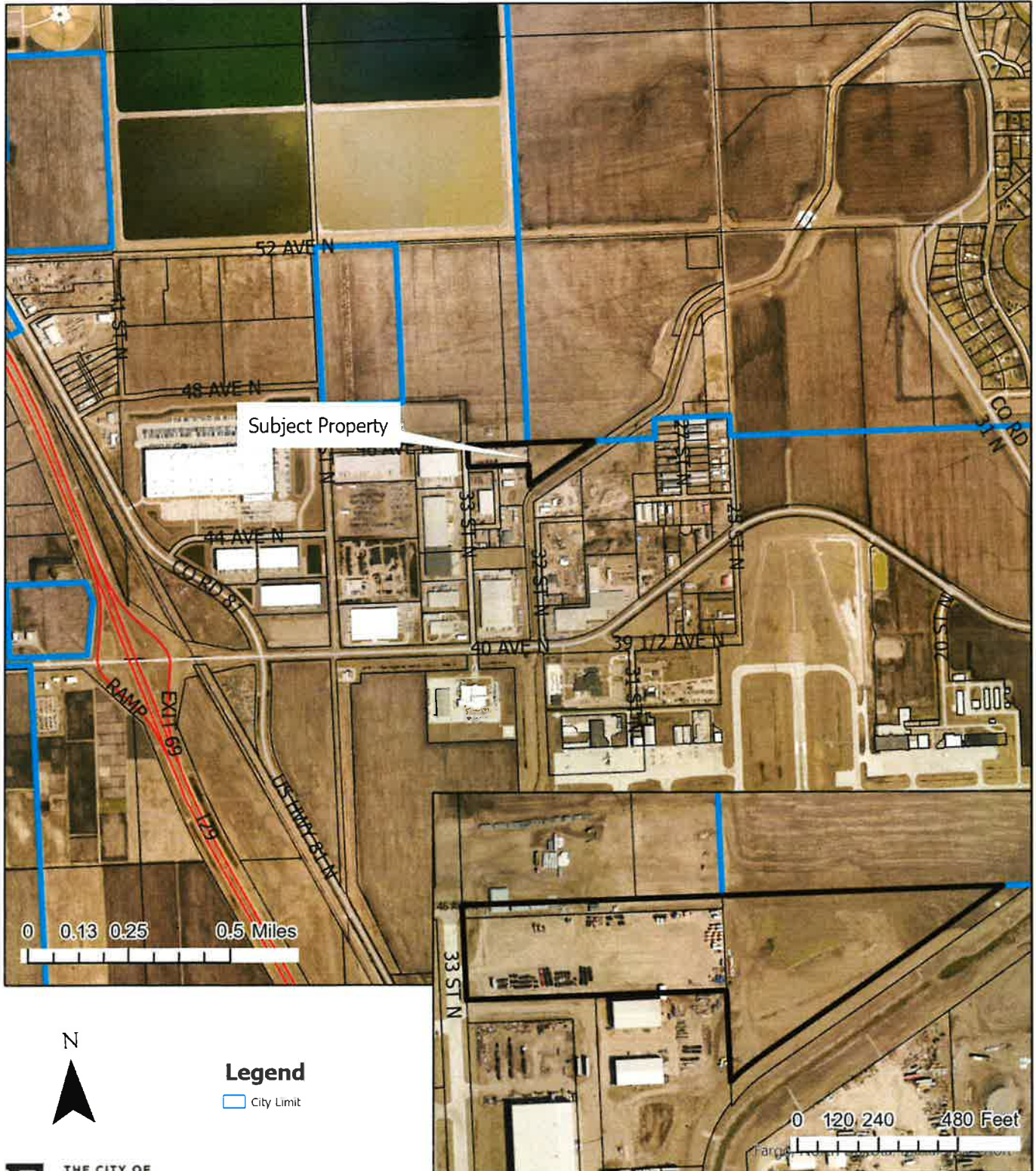


Fargo Planning Commission
October 7, 2025

Major Subdivision, Vacation of part of 46th Avenue North and Zone Change from LI, Limited Industrial and AG, Agricultural to LI, Limited Industrial and P/I, Public and Institutional

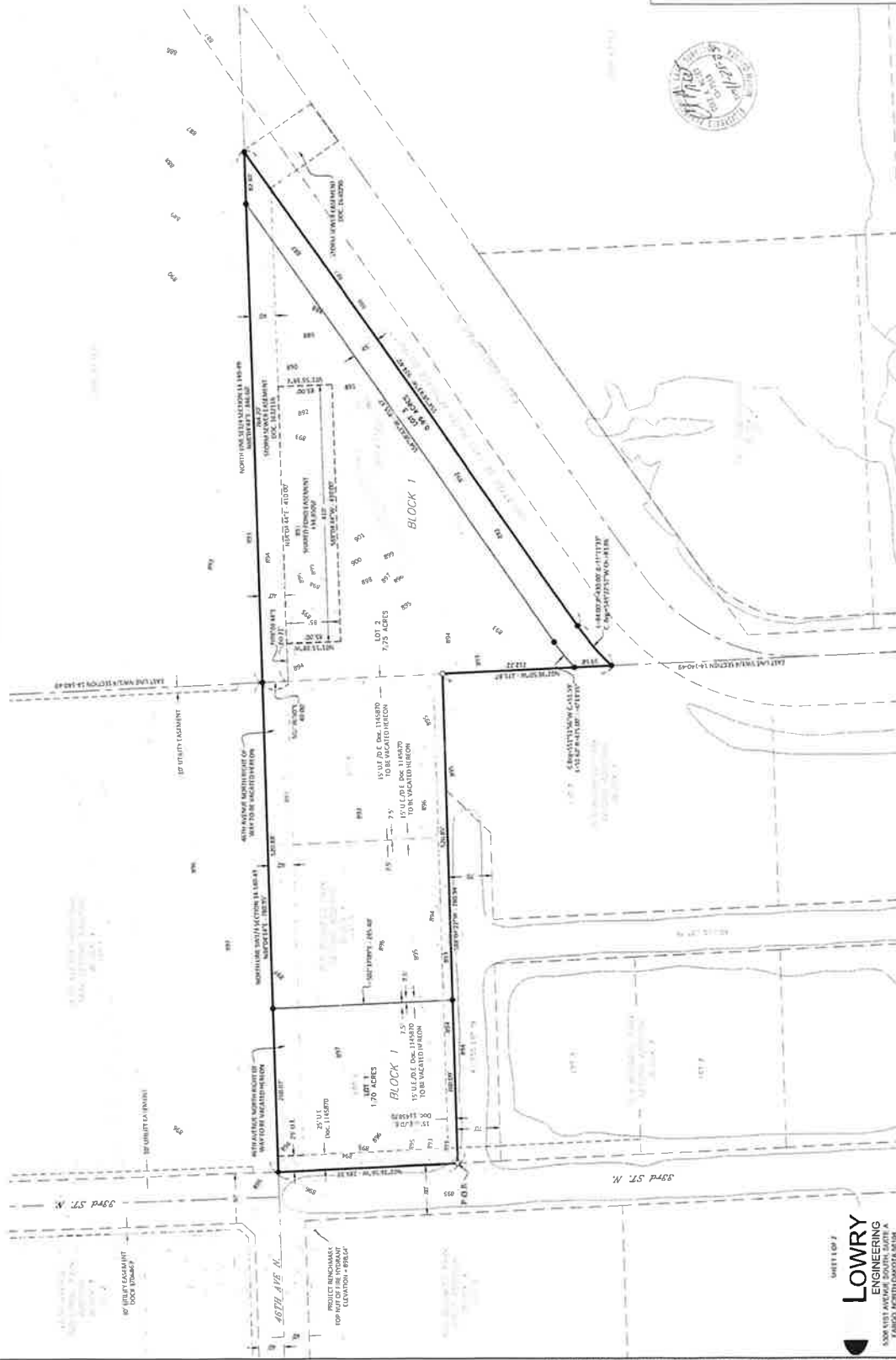
RLN Business Park Third Addition

4583 33rd Street North;
3108 46th Avenue North



RLN BUSINESS PARK THIRD ADDITION

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND A REPLAT OF LOTS 4, 5, & 6, BLOCK 1, RLN BUSINESS PARK SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA AND A PARTIAL VACATION OF 46TH AVENUE NORTH RIGHT OF WAY
(A MAJOR SUBDIVISION)



OWNERS' CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, THAT RLN BUSINESS PARK, LLC AND ROBERT L. NELSON REVOCABLE TRUST, ARE THE OWNERS OF THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, AND LOT 14, 5, & 6 BLOCK 1, RLN BUSINESS PARK OF THE SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

Said owners have caused the above described tract of land shown on this plat to be surveyed and platted as ten business park third addition to the city of Fargo, Cass county, North Dakota. Said owners hereby dedicate and convey to the public for public use, all utility easements as shown on said plat. Said owners also hereby dedicate and convey the shaded portion as shown on said plat as a private easement for the benefit of lots 1 and 2, block 1, said owners third addition. Said owners also hereby dedicate lot 1, block 1, to the southeast Cass water in source district. Said ten business park third addition consists of 31,075 square blocks, approximately 32.4 acres, more or less, together with easements and right-of-way as recorded.

BY  ROBERT NELSON, OWNER
PLAYERS ASSOCIATION, LLC

BY  ROBERT NELSON, OWNER
PLAYERS ASSOCIATION, LLC

STATE OF New York County of Albany) ss.

ON THIS 25 DAY OF NOVEMBER, 2025, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____ RESIDENT

NELSON, OWNER, BLA BUSINESS BANK, LLC AND ROBERT J. NELSON REVOCABLE TRUST, TO ME KNOWN TO BE THE PERSON DESCRIBED AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXERCISED SAME AS THEIR FREE ACT AND DEED.

San Bartolo por: 110

SURVEYORS CERTIFICATE:

I, JOHN A. BEECHER, REGISTERED SURVEYOR, BEING OF THE COUNTY OF CLATSOP, STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE PROPERTY DESCRIBED IN THIS PLAT AS AN ORIGINAL PLAT. FURTHER, THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, THAT ALL DISTANCES ARE SHOWN CORRECTLY ON SAID PLAT IN FEET AND HUNDRETHS OF A FOOT, THAT ALL MEASUREMENTS ARE AS WELL AS INTENDED CORRECT IN THE SECOND AS GIVEN, AND THAT THE CORRECTIONS ARE CORRECTED IN THE MANNER OF THE SURVEYING ACT, CHAPTER 30, SECTION 10, OF THE LAWS OF THE STATE OF OREGON.

WITNESSED MY HAND AND SEAL OF OFFICE, THIS 20 DAY OF NOVEMBER, 1920.

COLLEEN K. HARRIS
REGISTERED LAND SURVEYOR

LS 7513	
STATE OF NORTH DAKOTA	1
COUNTY OF CASS	1

ON THIS 25 DAY OF November, 2025, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED COLE A NISSET TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED.

_____ *Duane Thompson* _____

NOTARY PUBLIC, COUNTY _____, STATE _____, COMMISSION EXPIRES _____

SOUTHEAST CASS WATER RESOURCE DISTRICT APPROVAL



SOUTHEAST COAST WATER RESOURCE DISTRICT, HEREBY ACCEPTS THE DEDICATION OF LOT 1, BLOCK 1, RUN BUSINESS PARK THIRD ADDITION

RETHA K. WESTON, CHAIRMAN _____

ATTEST _____

DEBBISSA HINDENREYER, SECRETARY _____

YEAR OF _____

COUNTRY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KEITH A. WESTON, CHAIRMAN OF THE SOUTHWEST CASS WATER RESOURCE DISTRICT, AND MELISSA WINNEWEVER, SECRETARY OF THE SOUTHWEST CASS WATER RESOURCE DISTRICT, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND THAT EXECUTED THE FOREGOING INSTRUMENT, AND MANIFESTED TO ME THAT THEY INTENDED TO SAME.

NOTARY PUBLIC, COUNTY _____ STATE _____

RD ADDITION
TION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE
BUSINESS PARK SECOND ADDITION TO THE CITY OF
ON OF 46TH AVENUE NORTH RIGHT OF WAY
(N)

CITY ENGINEER'S APPROVAL

THIS PLAN IN THE CITY OF HANCO IN WISCONSIN APPROVED THIS 9 DAY OF January 2026

STATE OF North Dakota _____

CITY ENGINEER

THOMAS L. COLEMAN, JR.

RECEIVED
CITY ENGINEER
OCT 19 1915
NORTH DAKOTA

355
COUNTY OF Clark)
ON THIS 9th DAY OF JANUARY 2016, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY

APPROVED THOMAS HARRINGTON, JR. TO BE EMPLOYED BY THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THAT THEY EXECUTED SAME AS THEIR FREE ACT AND DEED

IN WITNESS WHEREOF

NOTARY PUBLIC

STATE: North Dakota

CITY COMMISSION APPROVAL

APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORIGINATED FILED THIS _____ DAY OF _____ 20____

CITY CLERK

ATTEST
ANGIE BEAR, DEPUTY CLERK FOR ONE-HALF OF CITY CLERK _____

STATE OF _____ COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JACQUETTA J. MANDATORY AND ANGE BEAR HIGDON, TO ME, TO BE THE PERSONS DESIGNED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREELY ACT AND DEED ON BEHALF OF THE CITY OF TAMPA.

NOTARY PUBLIC COUNTY _____ STATE _____

THIS DAY IN THE CITY OF LAKE CHARLENE, MISSOURI, APPROVED THIS 1st DAY OF October, 2025

BOOK REVIEW PANEL CHAIR PAUL HARRINGTON, COMMISSIONER

STATE OF North Dakota)
COUNTY OF Cass) ss

ON THIS 28th DAY OF January, 2020, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARIANNA R. TSAI, TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY INCURRED SAME, AS THEIR FREE ACT AND DEED.

Manda Welf _____ STATE North Carolina _____
NOTES PUBLIC COUNTY Cass

J. R. Germaino (E-mail: germaino@math.umd.edu)

PERMANENT EASEMENT
(Street and Utility)

KNOW ALL MEN BY THESE PRESENTS that **RLN Business Park, LLC, a North Dakota limited liability company, 4083 37th St N, Fargo, ND 58102, and Robert Nelson as Trustee of the Robert L. Nelson Revocable Trust, 6203 17th St N, Fargo, ND 58102,** hereinafter referred to as "Grantor" whether one or more, for and in consideration of the sum of One and no/100 Dollars (\$1.00) and other valuable consideration, to it in hand paid the receipt whereof is hereby acknowledged, **HEREBY GRANTS UNTO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA,** a municipal corporation, its successors and assigns, hereinafter referred to as "Grantee", a permanent and perpetual easement over, upon and in the land hereinafter described for the purpose of laying, constructing, operating, maintaining and repairing a street and all other related public utilities, together with the customary appurtenances including location of any and all utilities, said parcel being more particularly described as follows:

PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6, BLOCK 1, RLN BUSINESS PARK SECOND ADDITION; THENCE S88°04'14"W ALONG THE NORTH LINE OF SAID BLOCK 1 A DISTANCE OF 780.95 FEET TO THE EAST RIGHT OF WAY OF 33RD STREET NORTH; THENCE N02°36'56"W ALONG THE NORTHERLY EXTENSION OF THE SAID EAST RIGHT OF

WAY A DISTANCE OF 40.00 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST; THENCE N88°04'14"E ALONG SAID NORTH LINE A DISTANCE OF 780.95 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE S02°36'53"E ALONG SAID EAST LINE A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS ±31,238 SQUARE FEET MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

("Permanent Easement Area").

The Permanent Easement Area is pictorially represented on Exhibit A attached hereto and incorporated herein by reference.

Grantor, its successors and assigns, hereby covenants to and with Grantee that Grantee's officers, contractors, agents and employees may at any and all times when necessary or convenient to do so, go over and upon said above-described Permanent Easement Area and perform any and all acts necessary or convenient to carry into effect the purpose for which the grant is made.

Grantor, its successors and assigns, further agrees that it will not disturb, injure, molest or in any manner interfere with said street and utilities and customary appurtenances including location of any and all utilities, or with material for laying, maintaining, operating or repairing the same, in, over or upon the above-described Permanent Easement Area, and Grantor expressly warrants and states that no buildings, trees, shrubs or other obstacles of any kind shall be placed or located upon the Permanent Easement Area so as to interfere in any manner with the construction, operation, maintenance or repair of said street including location of any and all utilities or customary appurtenances, provided that Grantee, at its own expense, shall refill any excavation it makes and level the ground thereafter, leaving the Permanent Easement Area in as good condition as it was prior to the time of constructing of said street and public utilities and customary appurtenances was begun.

IN WITNESS WHEREOF, Grantor has set his hand and caused this instrument to be executed this 20th day of October, 2025.

GRANTOR:

RLN Business Park, LLC, a North Dakota limited liability company



By: Robert Nelson
Its: Member

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 20 day of October, 2025, before me a notary public in and for said county and state, personally appeared Robert Nelson known to me to be a Member of RLN Business Park, LLC, a North Dakota limited liability company, the Grantor described in and that he executed the within and foregoing instrument, and acknowledged to me that said Grantor executed the same.

(SEAL)



Tari Birkele
Notary Public
My Commission Expires: April 14, 2029

IN WITNESS WHEREOF, Grantor has set his hand and caused this instrument to be executed this 20th day of October, 2025.

GRANTOR:

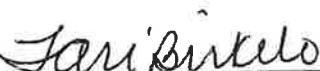
Robert L. Nelson Revocable Trust


By: Robert Nelson
Its: Trustee

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 20 day of October, 2025, before me a notary public in and for said county and state, personally appeared Robert Nelson known to me to be the Trustee of the Robert L. Nelson Revocable Trust, the Grantor described in and that he executed the within and foregoing instrument, and acknowledged to me that said Grantor executed the same.




Notary Public
My Commission Expires: Apr 14, 2029

GRANTEE:

City of Fargo, North Dakota, a North Dakota
Municipal Corporation

Timothy J. Mahoney, Mayor

ATTEST:

Angie Bear
Deputy Auditor on behalf of City Auditor

STATE OF NORTH DAKOTA))
COUNTY OF CASS)

On this _____ day of _____, 2026, before me a notary public in and for said
county and state, personally appeared Timothy J. Mahoney and Angie Bear, known to me to be
the Mayor and Deputy Auditor, respectively, of the city of Fargo, the Grantee described in and
that executed the within and foregoing instrument, and acknowledged to me that said Grantee
executed the same.

(SEAL)

Notary Public
My Commission Expires:

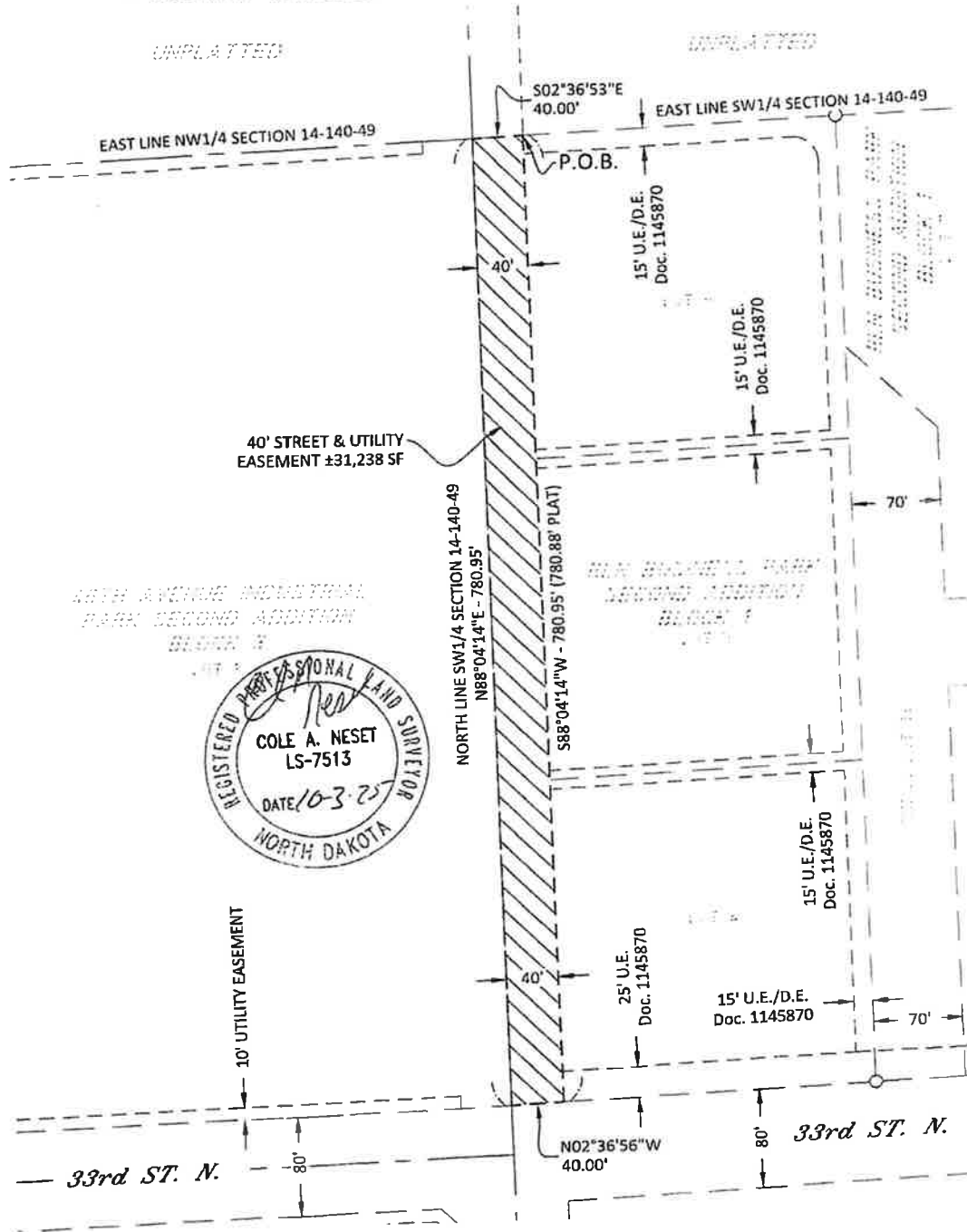
The legal description was prepared by:
Cole A. Neset (LS-7513)
Professional Land Surveyor
5306 51st Ave S, Suite A
Fargo ND 58104

This document prepared by:
Kasey D. McNary (ND# 06590)
Assistant City Attorney
SERKLAND LAW FIRM
10 Roberts Street N.
Fargo, ND 58102
(701) 232-8957

Exhibit A

40' STREET & UTILITY EASEMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST
OF THE 5TH PRINCIPAL MERIDIAN TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

- P.O.B. (PLAT)
- MONUMENT FOUND
- POINT OF BEGINNING
- PLATTED DISTANCE
- EX. EASEMENT
- EX. PROPERTY LINE
- EX. SECTION LINE
- ▨ EASEMENT AREA

SHEET 1 OF 2

LOWRY
ENGINEERING
5306 51ST AVENUE SOUTH, SUITE A
FARGO, NORTH DAKOTA 58104

40' STREET & UTILITY EASEMENT

PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST
OF THE 5TH PRINCIPAL MERIDIAN TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN,
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 6, BLOCK 1, RLN BUSINESS PARK SECOND ADDITION; THENCE S88°04'14"W
ALONG THE NORTH LINE OF SAID BLOCK 1 A DISTANCE OF 780.95 FEET TO THE EAST RIGHT OF WAY OF 33RD STREET NORTH;
THENCE N02°36'56"W ALONG THE NORTHERLY EXTENSION OF THE SAID EAST RIGHT OF WAY A DISTANCE OF 40.00 FEET TO THE
NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 140 NORTH, RANGE 49 WEST; THENCE N88°04'14"E
ALONG SAID NORTH LINE A DISTANCE OF 780.95 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE S02°36'53"E
ALONG SAID EAST LINE A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS ±31,238 SQUARE FEET MORE OR LESS AND IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF
RECORD.

SURVEYORS CERTIFICATE

I COLE A. NESET HEREBY CERTIFY THAT THIS SURVEY, PLAN, AND/OR REPORT WAS PREPARED UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA.



COLE A. NESET
REGISTERED LAND SURVEYOR
LS-7513

10-3-25
DATE: _____



SHEET 2 OF 2

AGREEMENT

(Proximity of Airport, Noise Attenuation and Sewage Lagoons)

THIS AGREEMENT, Made and entered into this ____ day of _____, 2026, by and between Southeast Cass Water Resource District (Lot 3, Block 1), RLN Business Park, LLC and Robert L. Nelson Revocable Trust (Lots 1 and 2, Block 1), hereinafter referred to as "Owners," and CITY OF FARGO, A NORTH DAKOTA MUNICIPAL CORPORATION, hereinafter referred to as the "City".

WITNESSETH:

WHEREAS, the Owners are the record owners of tracts of land located in Cass County, North Dakota, said tracts being more particularly described hereinafter; and,

WHEREAS, said tracts are located within the City of Fargo; and

WHEREAS, Owners have made a development request of the City for a subdivision, vacation of right of way and change in zoning from Limited Industrial (LI,) and Agricultural (AG) to Limited Industrial (LI,) and Public and Institutional (P/I) and,

WHEREAS, the Board of City Commissioners of the City have approved a subdivision and vacation of right of way and enacted a zoning ordinance to effect such change upon the

condition that the Owners and Owners' successors in interest be bound to a covenant acknowledging the proximity of Hector International Airport and the City's sewage lagoons to Owners' property; and,

WHEREAS, Owners are willing to execute and to have recorded an agreement wherein Owners recognize the proximity of said facilities in regard to all of the property owned or to be owned by Owners hereinafter described and including all other terms mentioned above; and,

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, IT IS HEREBY AGREED as follows:

1. The subject of this Agreement, and the covenant herein, is the Owners' property, situate in the County of Cass and State of North Dakota, more fully described as:

Lots 1, 2 and 3, Block 1, RLN Business Park Third Addition to the city of Fargo.

[hereinafter referred to as the "Subject Property"]

2. As a condition of City's approval of said platting and zoning, Owners do hereby covenant and agree with the City that said Owners will never institute any suit or action at law or otherwise against the City, nor institute, prosecute or in any way aid in the institution or prosecution of any claim, demand, action or cause of action for damages, costs, loss of service, expenses or compensation against the City for or on account of any damage, loss or injury either to person or property, or both, resulting or which may result by reason of the use of the Subject Property in relation to the location and use of Hector International Airport and specifically for damages caused or allegedly caused by the noise of the take-off or landing of jet-propelled or other aircraft from the present runways or any future runways of the present Hector International Airport or for any other noise incidental to the operation of said airport; also from any vibration generated by said aircraft or from any pollutants or contaminants created from such aircraft usage, unless such actions or causes of actions, claims, demands, liabilities, losses, damages, or expenses are caused directly by commercially unreasonable or unlawful actions. This provision shall include the Municipal Airport Authority of the City of Fargo, as well as any subsequently formed regional airport authority that may be formed to operate the airport facilities. All parties agree that this provision and all of the terms and conditions of this Agreement shall be deemed to be covenants running with the land and shall be binding upon, inure to the benefit of, and be enforceable against all parties, and their respective successors, assigns, tenants, lessees, invitees, agents, heirs, executors, administrators, and personal representatives. The parties agree that this provision and Agreement shall be binding upon all future owners, lessees, tenants, and users of the Subject Property.

3. RLN Business Park, LLC and Robert L. Nelson Revocable Trust, agrees that they will at all times indemnify City, and hold and save the City harmless from and against any and all actions or causes of actions, claims, demands, liability, loss, damage, or expense of whatsoever kind and nature, including counsel or attorney's fees, which the City shall or may at any time sustain or incur by reason or in consequence of the use of the Subject Property for any lawful purposes and specifically for any damages caused or allegedly caused to the Subject Property by the noise of the take-off or landing of jet-propelled or other aircraft from the present runway or any future runways of the present Hector International Airport or for any other noise incidental to the operation of said airport, or which the City may sustain or incur in connection with any litigation, investigation or other expenditures incident to such use of the Subject Property, including any suit instituted to enforce the obligations of this agreement of indemnity, and RLN Business Park, LLC and Robert L. Nelson Revocable Trust, agree to pay to City all sums of money, with interest, which the City shall or may pay or cause to be paid, or become liable to pay, on account of or in connection with such use of the Subject Property, unless such actions or causes of actions, claims, demands, liabilities, losses, damages, or expenses are caused directly by commercially unreasonable or unlawful actions. This provision shall include the Municipal Airport Authority of the City of Fargo, as well as any subsequently formed regional airport authority that may be formed to operate the airport facilities.

4. Paragraphs two (2) and three (3) above shall also apply in all regards to the sewage lagoons owned by the City of Fargo and specifically concerning any odors emanating from said lagoons.

5. Owners agree that this agreement shall be recorded on the above-described property and specifically agrees that the following covenants shall apply to the above-described property:

FAIR DISCLOSURE STATEMENT

Sewage Lagoons – The tract of land hereby conveyed and legally described lies within the vicinity of certain sewage lagoons owned and maintained by the City of Fargo and may be impacted by odors emanating from said lagoons. The level of usage of said lagoons may vary, from time to time, so that at times the lagoons are “dry” and at other times the lagoons may contain sewage for treatment purposes and that, as a result, there may be no appreciable odor emanating from the lagoons and at other times there may be an appreciable odor emanating from the lagoons.

Airport -- The tract of land hereby conveyed and legally described lies within the vicinity of Hector International Airport and may be impacted by noise associated with the operations of said airport including noise from the take-off or landing of jet propelled or other aircraft from the present runways or any future runways of the present Hector International Airport or for any other noise incidental to the operation of said airport; or from any vibration generated or

from any pollutants or contaminants created from such aircraft usage. The airport normally operates seven days per week throughout the entire year and is open for flight operation at all hours. The present level of operations will continue and expand for the foreseeable future.

The noise rating of this tract, due to airport operations at the above-named airport according to the Noise Evaluation and Land Use Compatibility Study (1990-91) is above 65 in the DNL rating system.

The United States Department of Housing and Urban Development (HUD), Circular 1390.2 of 4 August 1971, Subject: Noise Abatement and Control: Departmental Policy, Implementation Responsibilities, and Standards, as well as any subsequent or replacement provisions established the following external noise exposure standards for the new construction of residential and other noise sensitive utilization:

Airport Environs

Land Zone	Site Suitability Classification
Above 75	Clearly unacceptable
65-75	Discretionary: Normally unacceptable
Below 65	Clearly acceptable

These site suitability classifications are further defined by HUD as:

1. Clearly unacceptable: The noise exposure at the site is so severe that construction costs to make the indoor environment acceptable for the performance of activities would be prohibitive. (Residential areas: the outdoor environment would be intolerable for normal residential use.)

2. Normally unacceptable: The noise exposure is significantly more severe so that unusual and costly building constructions are necessary to ensure adequate performance of activities. (Residential areas: barriers must be erected between the

site and prominent noise sources to make the outdoor environment tolerable.)

3. Clearly acceptable: The noise exposure is such that the activities associated with the land use may be carried out with essentially no interference from aircraft noise. (Residential areas: both indoor and outdoor noise environments are pleasant.)

Certification

The undersigned purchaser of said tract of land, certifies that (s)he (they) has (have) read the above statement and acknowledge(s) the preexistence of the airport named above and the right of said airport to continue to operate and also recognizes the City of Fargo sewage lagoon existence.

Owner

In the event Owners do not include the foregoing statement in the purchase agreement or deed, it shall, nonetheless, constitute a covenant and restriction running with the land and shall bind any future owner to recognition of the herein referenced facts.

6. This Agreement shall be binding upon the heirs, executors, administrators and assigns of the parties hereto and shall constitute a covenant running with the property described hereinbefore.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

(Signature pages to follow.)

OWNER:
Southeast Cass Water Resource District
(Lot 3, Block 1)

KEITH A. WESTON, Chairman

ATTEST:

MELISSA HINKEMEYER, Secretary

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this _____ day of _____, 20__, before me, a notary public within and for said county and state, personally appeared **KEITH A. WESTON, Chairman of the Southeast Cass Water Resource District**, and **MELISSA HINKEMEYER, Secretary of the Southeast Cass Water Resource District**, to me known to be the persons described in and that executed the foregoing instrument, and acknowledged to me that they executed the same.

Notary Public

(S E A L)

OWNER:
RLN Business Park, LLC

Kurt D. Nelson
ROBERT NELSON, Owner
POA for Robert L. Nelson

OWNER:
Robert L. Nelson Revocable Trust

Kent D. Ballman
ROBERT NELSON, Owner
POA for Robert L. Nelson

[illegible]

On this 16 day of Jan, 2026, before me, a notary public within and for said county and state, personally appeared **Robert Nelson, Owner, RLN Business Park, LLC and Robert L. Nelson Revocable Trust**, Rurt Ballman, POA for Robert L. Nelson to me known to be the person described in and that executed the foregoing instrument, and acknowledged to me that he executed the same.



Jari Binkelo
Notary Public

THE CITY OF FARGO, NORTH DAKOTA,
a municipal corporation

By: _____
TIMOTHY J. MAHONEY, Mayor

ATTEST:

ANGIE BEAR, Deputy Auditor on behalf of City Auditor

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

On this ____ day of _____, 20__, before me, a notary public within and for said county and state, personally appeared **TIMOTHY J. MAHONEY** and **ANGIE BEAR**, to me known to be the Mayor and Deputy Auditor, respectively, of THE CITY OF FARGO, NORTH DAKOTA, the municipal corporation described in and that executed the foregoing instrument, and acknowledged to me that such municipal corporation executed the same.

Notary Public

(S E A L)

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

416

ORDINANCE NO. _____

AN ORDINANCE REZONING A CERTAIN PARCEL
OF LAND LYING IN RLN BUSINESS PARK THIRD ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the rezoning of certain parcels of land lying in the proposed RLN Business Park Third Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on October 7, 2025; and,

WHEREAS, the rezoning changes were approved by the City Commission on February 2, 2026,

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

Lot One (1), Block One (1) of RLN Business Park Third Addition to the City of Fargo, Cass County, North Dakota;

is hereby retaining the base zoning of "LI", Limited Industrial, District.

Section 2. The following described property:

Lot Two (2), Block One (1) of RLN Business Park Third Addition to the City of Fargo, Cass County, North Dakota;

is hereby rezoned from "LI", Limited Industrial, District, and "AG", Agricultural, District, to "LI", Limited Industrial, District.

OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. _____

Section 3. The following described property:

Lot Three (3), Block One (1) of RLN Business Park Third Addition to the City of
Fargo, Cass County, North Dakota;

is hereby rezoned from "AG", Agricultural, District, to "P/I", Public and Institutional, District.

Section 4. The City Auditor is hereby directed to amend the zoning map now on file in his
office so as to conform with and carry out the provisions of this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its passage and
approval.

Timothy J. Mahoney, M.D., Mayor

(SEAL)

Attest:

Angie Bear, Deputy Auditor
on behalf of City Auditor

First Reading:
Second Reading:
Final Passage:

MEMORANDUM

TO: Board of City Commissioners

FROM: Angie Bear, Deputy City Auditor

SUBJECT: Business Improvement District (BID) Year-End Review

DATE: February 2, 2026

As part of the BID contract the DCP is required to update the City Commission on BID activities for the preceding year.

Rocky Schneider, President, Downtown Community Partnership would like the opportunity to address the City Commission with the 2025 year in review. He will be present to share a Power Point summary of 2025 and a look forward to 2026.



January 29, 2026

Honorable Board of
City Commissioners
225 4th Street North
Fargo, ND 58102

Re: Design Decision for 12th Avenue North Bridge over Red River
Project No. QR-25-B0

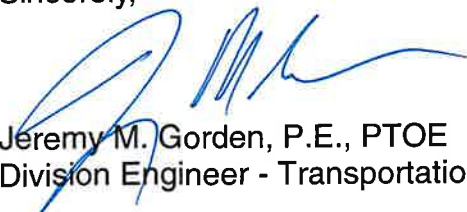
Dear Commissioners,

I've attached a Report of Action from the Public Works Project Evaluation Committee (PWPEC) for your review in regards to the reconstruction of the 12th Avenue North Bridge over the Red River. I will be making a short presentation on the project and will be requesting a passage of the motion to approve the project moving forward and selecting a mini-roundabout be used at the intersection of Elm Street and 12th Avenue North.

The decision on the final design will allow our Engineering Consultant Team to finalize the NEPA document and will kick off final engineering design on the project.

I look forward to discussing this project with you.

Sincerely,



Jeremy M. Gorden, P.E., PTOE
Division Engineer - Transportation

PUBLIC WORKS PROJECTS EVALUATION COMMITTEE

Project No.: QR-25-B0

Type: Decision Document

Location: 12th Ave N & Red River

Date of Hearing: 1/26/2026

Routing

City Commission

Date

2/2/2026

PWPEC File

X

Project File

Eric Hodgson

The Committee reviewed the accompanying correspondence from Civil Engineer, Eric Hodgson, regarding the decision document for the 12th Avenue North Bridge Reconstruction Project No. QR-25-B0.

Preliminary engineering and design have progressed, and the Engineering team has evaluated the following alternatives and options for the project:

Alternatives

- "No Build"
- "Build – On Existing Alignment"
- "Build – Off Existing Alignment"

Options

- "Signalized Intersection"
- "Mini-roundabout" at the intersection of Elm and 12th Avenue

The "Build – On Existing Alignment" alternative has been removed from consideration by the Engineering team after its evaluation. At this time, the Project Review Committee recommends that the "Build – Off Existing Alignment" and "Mini-roundabout" alternative/option move forward as the selected alternative/option while we complete the NEPA document, which is a CatEx.

On a motion by Tim Mahoney, seconded by Susan Thompson, the Committee voted to recommend approval of the "Build – Off Existing Alignment" and "Mini-roundabout" alternative/option and proceed with the decision document.

RECOMMENDED MOTION

Concur with the recommendations of PWPEC and approve the "Build – Off Existing Alignment" and "Mini-roundabout" alternative/option.

PROJECT FINANCING INFORMATION:

Recommended source of funding for project: _____ N/A

Developer meets City policy for payment of delinquent specials
 Agreement for payment of specials required of developer
 Letter of Credit required (per policy approved 5-28-13)


Yes	No
N/A	
N/A	
N/A	

COMMITTEE

Tim Mahoney, Mayor
 Nicole Crutchfield, Director of Planning
 Gary Lorenz, Fire Chief
 Brenda Derrig, City Administrator
 Ben Dow, Director of Operations
 Tom Knakmuhs, City Engineer
 Susan Thompson, Finance Director

Present	Yes	No	Unanimous
			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

ATTEST:


 Tom Knakmuhs, P.E.
 City Engineer

Memorandum

To: Members of PWPEC

From: Eric Hodgson, Civil Engineer II

Date: January 26, 2026

Re: 12th Avenue North Bridge over the Red River Project – Decision Document for Reconstruction City of Fargo Project No. QR-25-B0

Background:

On 9/26/2024, the City of Fargo and the U.S. Department of Transportation formalized an agreement for engineering and NEPA work, which authorizes the City to utilize \$1.5M worth of federal funds in the form of a 2022 RAISE grant. A consulting engineering team, led by Houston Engineering, was selected by our selection committee, and a final scope and fee for the proposed work was approved at City Commission on 3/17/2025.

Preliminary engineering and design has progressed, and the Engineering team has evaluated the following alternatives and options for the project:

Alternatives:

- “No Build”
- “Build - On Existing Alignment”
- “Build - Off Existing Alignment”

Options for the intersection at Elm Street:

- “Signalized Intersection”
- “Mini-roundabout” at the intersection of Elm and 12th Ave.

The “Build – On Existing Alignment” alternative has been removed from consideration by the Engineering team after its evaluation. At this time, the Project Review Committee recommends that the “Build – Off Existing Alignment” and “Mini-roundabout” alternative/option move forward as the selected alternative/option while we complete the NEPA document, which is a CatEx.

A decision document containing additional information about these alternatives/options has been provided.

Recommended Motion:

Concur with Project Review Committee’s recommendations as to the preferred alternative/options:

- “Build Option” - Off Existing Alignment bridge reconstruction.
- “Option 1 – Mini Roundabout” at the Elm Street intersection.

Attachments:

- Alternative/Option Graphics
- Consultant Decision Document

Final Decision Document

QR-25-B0

12th Ave N/15th Ave N Bridge
Replacement

Fargo, North Dakota

January, 2026



1401 21st Avenue North
Fargo, North Dakota 58102
Ph. (701) 237-5065
www.houstoneng.com

**Red River
Bridge Replacement**
12th Ave. Fargo/
15th Ave. Moorhead



12th Ave N / 15th Ave N Bridge Replacement

12th Ave N / 15th Ave N from West of Elm St in Fargo, East to East of Bridgeview St in Moorhead

CERTIFICATION

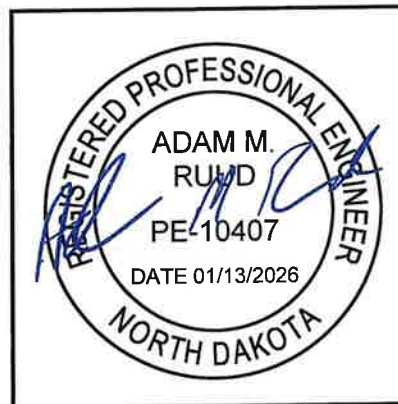


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- Appendix A Preliminary Opinion of Probable Cost
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1. Project Description

Highway: 12th Ave N (Fargo) / 15th Ave N (Moorhead)

Limits: West of Elm St N to East of Bridgeview St



Figure 1 – Project Location Map

2. Purpose of Project

The purpose of the proposed project is to provide a two-state river crossing of the Red River of the North at 12th Avenue North/15th Avenue North that maintains a continuous, year-round connection, meeting current design standards and the identified transportation goals of the Cities of Fargo & Moorhead. The project will raise the bridge above the post Fargo-Moorhead Area Diversion (FM Diversion) Project 100-year floodplain. The bridge serves as a critical two-state river crossing connecting North Dakota and Minnesota within the Fargo-Moorhead metropolitan area. The bridge was originally opened to traffic in 1988 as a privately operated toll bridge and is currently jointly owned by the cities of Fargo and Moorhead.

2.1. Need for Project

The need for the project is driven by operational deficiencies of the bridge in times of high-water events in which the river crossing needs to be closed. Currently the bridge is operationally impacted during less than 10-year flood events on the Red River. Deficiencies within the project limits also include pavement condition, and pedestrian facilities that do not comply with current ADA standards. While not a primary need for the project, opportunities exist to improve bicycle facilities across the bridge and also the intersection at Elm Street North/12th Avenue North if roadway reconstruction occurs.

2.2. Existing Conditions

The proposed project area is located along 12th Avenue North in Fargo, North Dakota, and 15th Avenue North in Moorhead, Minnesota, along the Red River. Residential developments, parking lots, transportation, pedestrian facilities, and recreation are the primary land uses within and directly adjacent to the project area. Recreational facilities nearby include Jack Williams Stadium and Mickelson Park and Softball Fields, Mickelson-Tricorn Bike Path, Trefoil Park, and Original Homestead Park.

The existing structure, National Bridge Inventory Structure No. FRGO31 (MN Bridge 14523), is an approximately 500-foot-long prestressed concrete bulb tee bridge that was built in 1987-1988. It is 40 feet wide and consists of two driving lanes, concrete curbs/barriers, metal railings, guardrail, a pedestrian sidewalk, lighting, and a chain link safety fence. The Mickelson-Tricorn shared-use path is present underneath the bridge running parallel to the west bank of the Red River.

12th Avenue North in Fargo, is a two-lane, urban collector with asphalt surfacing 12-foot driving lanes, pavement marking, curb and gutter, and a 100-foot westbound right turn lane at the Elm Street intersection. Utilities present in the area include sanitary sewer, watermain, and storm sewer. A shared-use path (as designated by the Metro COG Bike Map) is present along the north side of the roadway and a sidewalk is located south side of the roadway. A dedicated on-street bike lane is located west of Elm Street North. The intersection of 12th Avenue North with Elm Street North has existing all-way stop control, and pedestrian crossings on all legs.

15th Avenue North in Moorhead, is a two-lane, urban collector roadway, with asphalt surfacing and a width of 37 feet, pavement marking, curb and gutter, and storm sewer. A physically separated shared-use path (as designated by the Metro COG Bike Map) is present on the south side of the roadway. On-street bicycle facilities are not present.

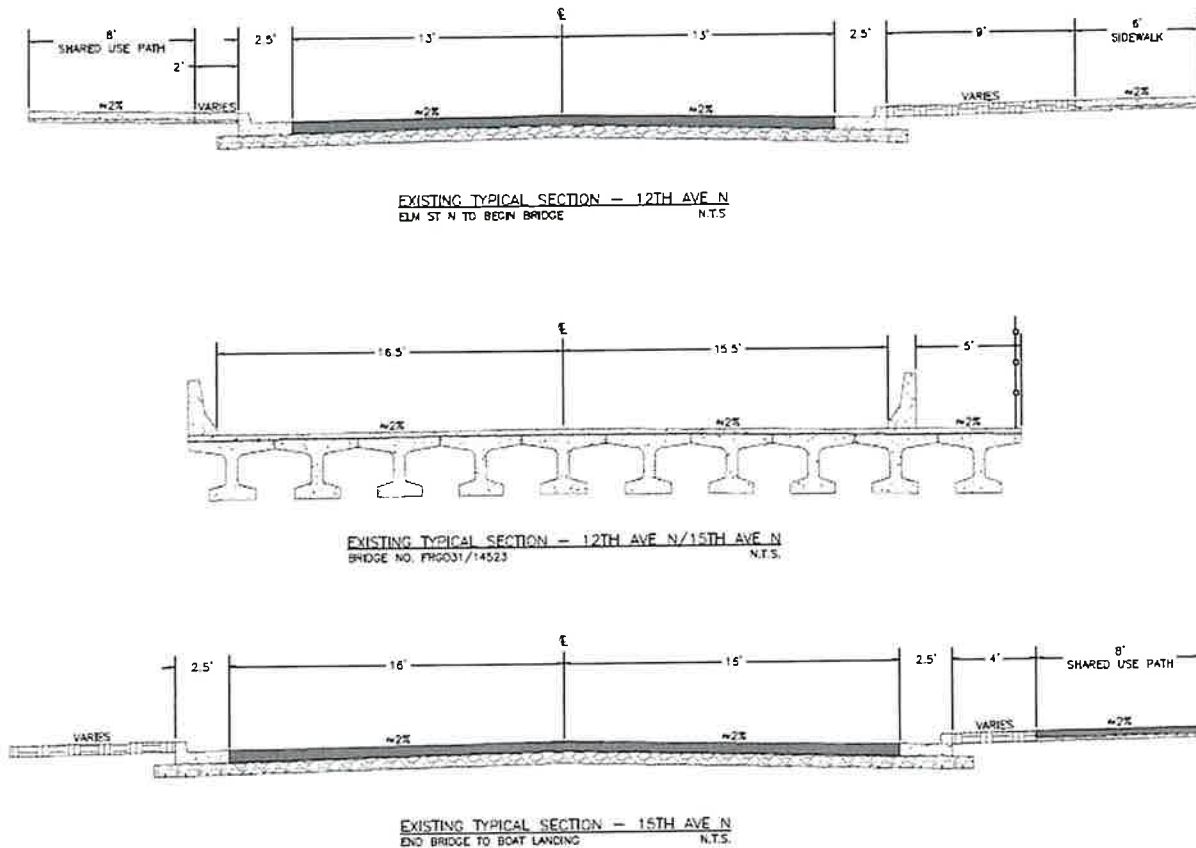


Figure 2 – Existing Typical Section

2.3. Deficiencies

Within the Fargo-Moorhead metropolitan area, there are only seven Red River crossings for vehicles. The 12th Avenue North bridge is currently in satisfactory structural condition. However, the existing bridge elevation is within the 100-year FEMA floodplain and has been closed seven times for a duration of up to 6 weeks each time during the last 16 years. Closures of the bridge due to flooding have occurred in both the spring and summer months. When the bridge closes, up to 10,000 vehicles per day must be detoured through downtown Fargo and Moorhead to either the 1st Avenue North, NP Avenue, or Main Avenue crossings, an approximate 3-mile detour, adding approximately 10-15 minutes to one-way travel times. This detour must also be utilized by the first responders and emergency service vehicles of the Red River Regional Dispatch Center, a joint venture of first responders that serve both Fargo and Moorhead. This detour greatly reduces the efficiency and effectiveness of the shared first responder network, including ambulance service.

The 2024 City of Fargo Transportation Plan identified the replacement of the 12th Avenue North bridge as a Street Priority Project. The primary goal as stated in the Plan would be to raise the bridge out of the future 100-year floodplain when the FM Diversion Project is completed. Additionally, the City of Fargo Go2030 Comprehensive Plan identified transportation linkage initiatives across the Red River and the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) has included the project in its Fargo-Moorhead Metropolitan Transportation Plan². Because of the Metro's growing size, the Metro COG is now classified as a Transportation Management Area (TMA). With that designation, the Metro COG has developed a Congestion Management Process that is included in the Metropolitan Transportation Plan. The Congestion Management Process indicates a support for improving safety and system management in corridors with reliability issues and encouraging transportation projects that provide improved multi-modal access. The improvements associated with this project will align with the Travel Reliability, Peak Period Delay, and Network Connectivity objectives outlined in the Congestion Management Process.

The Pavement Condition Index (PCI) score within the 12th Avenue North and Elm Street intersection is 35 out of 100, or "Very Poor". The PCI score for 12th Avenue North between Elm Street and the existing bridge is 61 out of 100, or "Fair". Cracking and rutting can be seen throughout this area. Across the existing structure is a less than 5-foot clear sidewalk. Per Public Right of Way Accessibility Guidelines (PROWAG), where the clear width of a pedestrian access route is less than 60 inches, passing spaces shall be provided at intervals of 200 feet. The bridge does not meet current PROWAG requirements for sidewalk connections. Additionally, the 12th Avenue North/15th Avenue North bridge was identified as a bike network public priority project in the Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan (October 2022) and as a 'vision project' in the 2050 Fargo-Moorhead Metropolitan Transportation Plan.

A traffic operations report was completed for the project. The report indicated the current roadway geometry does not provide the capacity needed to meet the existing traffic demands, specifically at the intersection of 12th Avenue North and Elm Street North. The average daily traffic (ADT) volumes along the corridor are projected to increase from 9,661 to 10,180 vehicles per day by 2045. Under current conditions, the corridor operates at acceptable levels during the morning peak hour; however, there are deficiencies that appear in the operations during the evening peak hour at the intersection of 12th Avenue North and Elm Street North. These operational deficiencies are expected to worsen as the traffic within the corridor continues to grow and the capacity of the present intersection is inadequate to accommodate projected traffic volumes. While not a primary need for the project, if bridge improvements occur, there is an opportunity to improve the intersection of 12th Avenue North and Elm Street North concurrently with bridge improvements.

² Fargo-Moorhead Metropolitan Council of Governments (Metro COG) 2050 Metropolitan Transportation Plan. April 2025.
 Hyperlink: [Metro2050 no Appendix r 202504.pdf](#). Accessed October 2025.
 12th Ave N / 15th Ave N Bridge Replacement
 Project No. QR-25-B0
 January 2026

3. Description of Alternatives

3.1. Alternative A: No Build

This Alternative would maintain the existing bridge, roadway and pedestrian network in their existing condition. This Alternative does not meet the purpose and need of the project but provides a baseline from which to compare impacts of other alternatives.

3.2. Alternative B1: Bridge Replacement on Existing Alignment

This Alternative would raise the bridge above the 100-year water surface elevation along the existing alignment. However, after further consideration it was eliminated due to:

- additional right of way needed from raising the road
 - This alternative would require additional permanent right of way from the residential properties south of 15th Ave N in Moorhead.
- increased traffic impacts associated with settlement mitigation measures
 - This alternative would require the roadway to be closed while geotechnical settlement mitigation measures are performed on the elevated embankment. This would increase the duration traffic is impacted.
- additional temporary Section 4(f)/6(f) impacts
 - This alternative has a minor increase of Section 6(f) impacts at Jack Williams Stadium due to the alignment deflection angle.
- aesthetic view for adjacent properties
 - This alternative would construct the elevated roadway closer to the residential properties south of 15th Ave N in Moorhead.
- potential for noise impacts
 - Due to the alignment being closer to the residential properties south of 15th Ave N in Moorhead, it is anticipated this option would have the higher potential for noise impacts.
- potential costs of additional retaining walls needed to minimize right of way impacts
 - In order to reduce right of way impacts, additional retaining walls would be required east of the bridge on the south side of 15th Ave N in Moorhead.

3.3. Alternative B2: Bridge Replacement on Realignment

This Alternative would replace the existing bridge to maintain accessibility and normal operations during flood events. The bridge would be raised to maintain the low member at a minimum of 1' above the 100-year water surface elevation in the Red River with operation of the FM Diversion. The increased bridge height results in increased loading on the riverbank as well as potential settlement concerns that will require mitigation.

This alternative will realign the east end of the bridge approximately 100' north of the existing bridge. See Figure 3 for the realignment location.

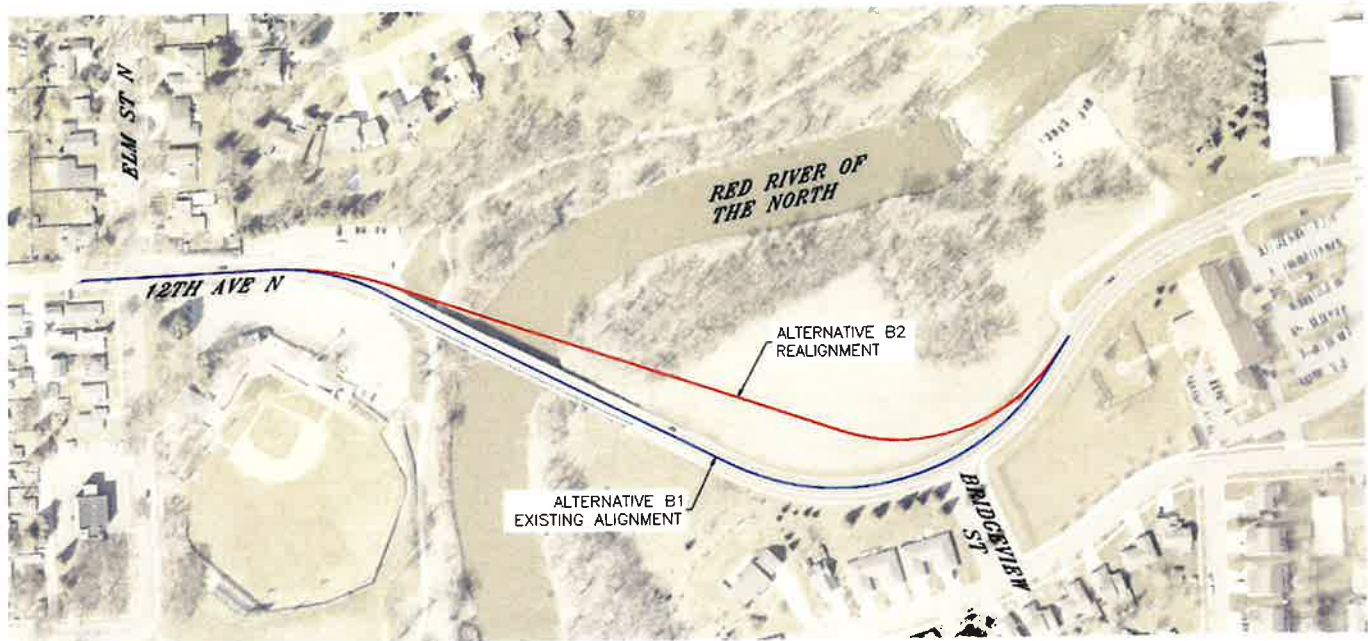


Figure 3 – Alignment Alternatives

Benefits of realigning the roadway to the north include:

- Separation from the existing roadway allowing for embankment placement and settlement mitigation measures, such as preloading, without impacting existing traffic.
- Separation from the residential neighborhood south of the roadway, minimizing impacts beyond the existing right-of-way. The area north of the realignment consists of river front where the realignment would not create additional impact.
- Reduces overall project costs by eliminating the need for retaining walls east of the bridge.

See Table 1 for a summary of impacts associated with each option.

Table 1 – Alignment Alternative Summary

Screening Criteria	Unit of Measure	No Build	Existing Alignment	Road Realignment
Meets Purpose and Need	Yes or No	No	Yes	Yes
Right-of-Way Impacts	Acres	0.00	0.45	0.13 – 0.15
Duration of Traffic Impact During Construction	Anticipated Level of Impact	NA	High	Medium
Pedestrian Improvements	Yes or No	No	Yes	Yes
Cultural Resource Impacts	Level of Impact	No	No	No
Section 4(f) Impacts	Level of Impact	No	Anticipated de minimis or net benefit	Anticipated de minimis or net benefit
Section 6(f) Impacts	Permanent Conversion, Yes or No	No	No permanent conversion	No permanent conversion
Permanent Aquatic Resource Impacts	Acres	0.00	0.00	0.09
Opinion of Probable Cost	Dollars	0	\$29,200,000 - \$31,800,000	\$26,300,000 - \$28,900,000

3.3.1. Geometry

The horizontal and vertical geometry of the 12th Ave N/15th Ave N will be designed to meet current City of Fargo, City of Moorhead, NDDOT and Minnesota Municipal State Aid standards. The design speed of the roadway will satisfy current standards for 30 mph, similar to existing conditions.

Horizontal Alignment:

West of the Red River, 12th Ave N/15th Ave N will generally maintain its current existing alignment to minimize impacts on the adjacent Fargo Parks properties immediately north and south of the roadway. East of the Red River, the alignment will be shifted north within a lot owned by the City of Moorhead.

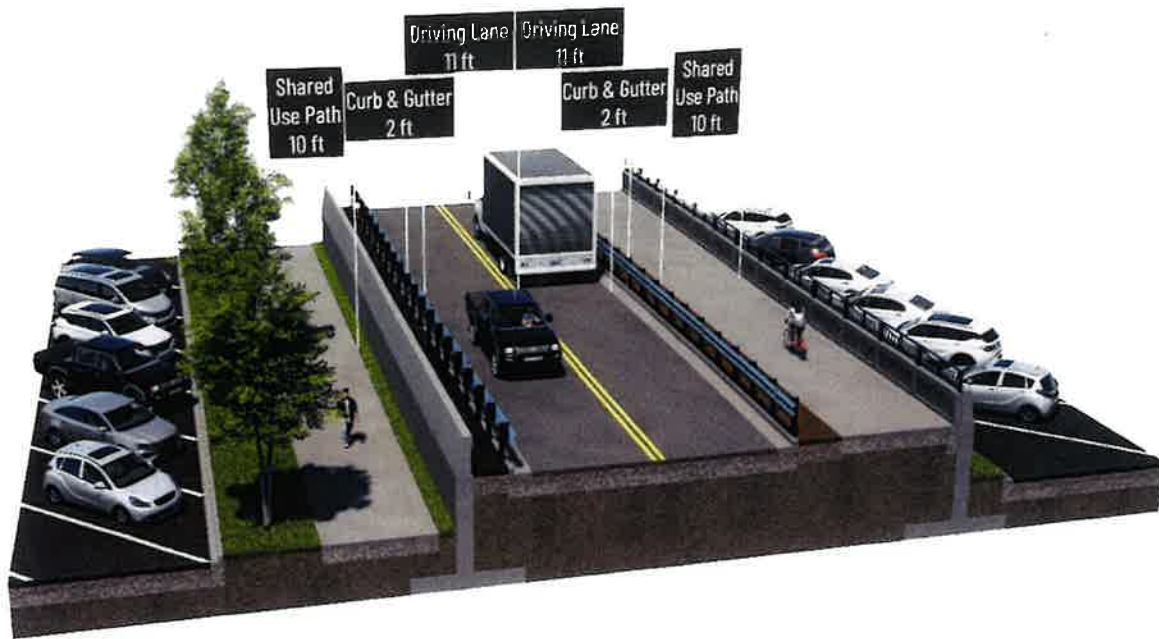
Vertical Alignment:

To maintain the proposed bridge low member elevation 1' above the post FM Diversion operation 100-year water surface elevation, the bridge will be raised approximately 18.5' higher than it is today, as measured from the crown of the bridge at the current low point in the structure to the low point of the proposed structure. The high point of the bridge is anticipated to be approximately 6.5' higher than the 12th Ave N and Elm St intersection. The profile adjustment is anticipated to begin approximately 150' east of the 12th Ave N and Elm St intersection and continue east for approximately 1,400' to tie into high ground in Moorhead just east of Bridgeview St. See Appendix B for the preliminary layout.

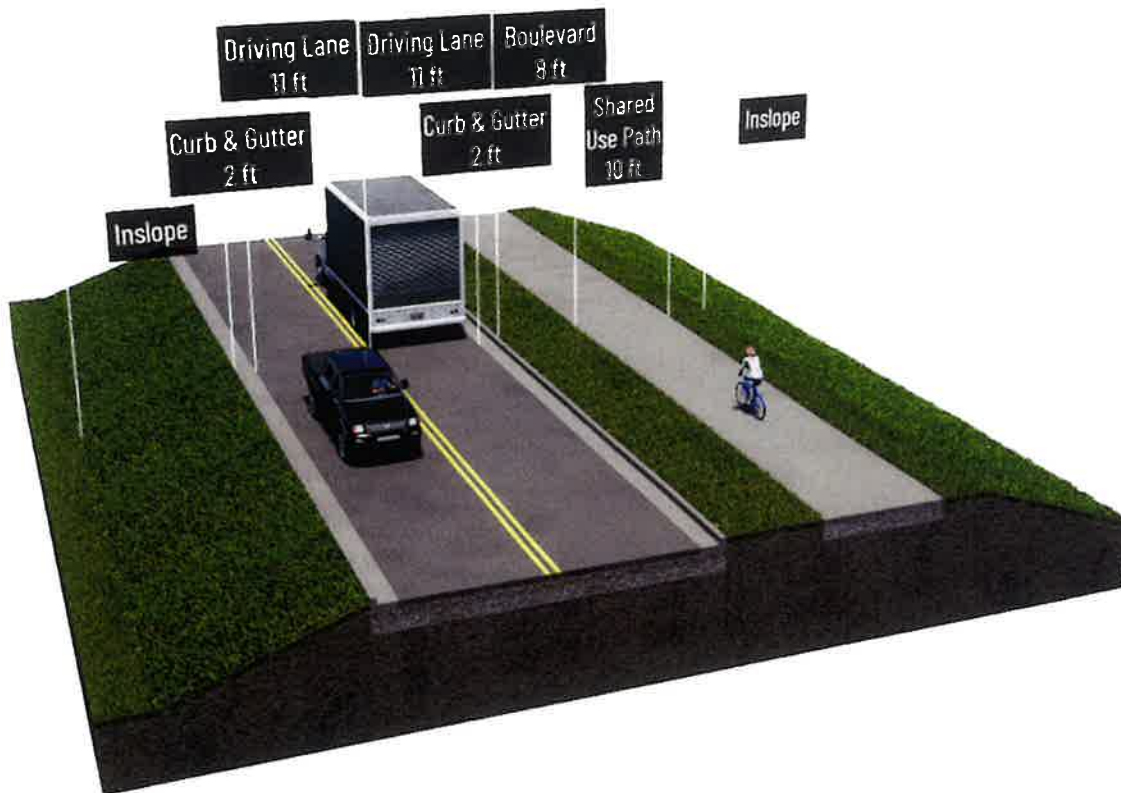
Typical Section:

The proposed roadway will consist of two driving lanes, one in both the eastbound and westbound directions. The driving lane widths will vary from 11' in Fargo and Moorhead outside of the bridge limits and 12' across the bridge. A 10' wide to 12' wide shared use path will also be constructed along the south side of the roadway connecting the existing shared use path network at Elm St to the existing path system in Moorhead. Within the City of Fargo, an additional 10' wide shared use path will be constructed along the north side of the roadway from Elm St to the existing shared use path that runs north/south along the Red River. A portion of the Red River shared use path will also be reconstructed under the bridge on the west side of the river.

Due to the increased elevation of the roadway, retaining walls will be constructed north and south of 12th Ave N from east of Elm St to the west end of the bridge in order to avoid permanent impacts and minimize temporary impacts to the adjacent Fargo Park District properties (Section 4(f) and Section 6(f) properties) as permanent impacts to Section 4(f) and Section 6(f) projects could significantly impact the project schedule. East of the bridge, traditional embankment sections are anticipated, reducing overall project costs compared to extending retaining walls further east. See Figure 4 for the proposed typical sections.



12th Ave N (in Fargo) Proposed Road Typical Section (Looking East)



15th Ave N (in Moorhead) Proposed Road Typical Section (Looking East)

Figure 4 – Proposed Road Typical Sections (Looking East)

3.3.2. Bridge

The proposed bridge is anticipated to be a 5 span steel girder bridge spanning the Red River. The overall length of the bridge is anticipated to be approximately 660' to 735' long in order to have slopes and substructure placement that will meet the minimum geotechnical factors of safety as well as account for required factors of safety during construction of the settlement mitigation measures. The final bridge length will be set as the design progresses. The bridge will be approximately 49' wide with two-12-foot driving lanes, four-foot shoulders and a twelve foot shared use path with barriers on each side, and separating the shared use path from the vehicular lanes. We expect that the piers on either side of the river will be fixed piers that will be designed to withstand lateral soil loads that will be placed on them. Due to geotechnical issues along the riverbank, the remaining two piers are expected to be "movable" style piers that can be reset to accommodate lateral movement of the soil.

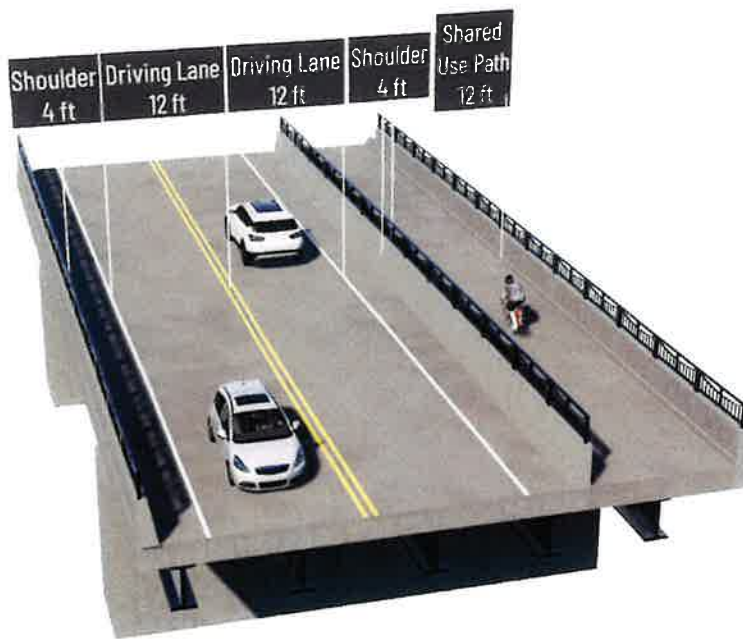


Figure 5 – Proposed Bridge Typical Section (Looking East)

3.3.3. Geotechnical

Construction near the Red River presents several unique challenges due to poor soil conditions. Braun Intertec has completed a preliminary evaluation of the proposed alignment and vertical profile to identify potential slope stability and settlement concerns. This evaluation was utilized to establish the proposed bridge length.

Due to the height of fill required to raise the roadway east of the Red River, long-term settlement of the roadway is a concern that will need to be addressed. Potential solutions considered include the use of light weight fills and preloading as well as extending the overall bridge length. Using full depth light weight fills is not anticipated to be feasible due to buoyancy concerns during flood events. Therefore, it is anticipated either preloading, some combination of preloading and some lightweight files, or extending the bridge will be required to mitigate long term settlement, pending a final detailed analysis. A potential benefit of this build alternative is the realignment of the roadway to the north will provide space to construct the potential preload and allow the embankment to settle without impacting traffic on the existing roadway.

The geotechnical investigation and recommendations are currently ongoing. Additional details will be incorporated into the environmental document and designs as the project progresses. For the range of cost estimates associated with this document, two settlement mitigation options were considered. The first option consists of a 5' surcharge over the proposed embankment elevation with wick drains. It is anticipated the wick drain and surcharge configuration can achieve required settlement within 9 to 12 months after construction of the settlement mitigation measures. The second option consists of extending the bridge approximately 75' to the east.

3.3.4. Hydraulics

It is understood that the FM Diversion Project will be operational in the spring of 2027, and the FEMA floodplain maps are anticipated to be revised in 2030. The bridge is being designed based on post-FM Diversion Project flood elevations, however since the design and anticipated construction will occur prior to the updated floodplain maps, the design must meet floodplain permitting requirements based on the effective floodplain and flood elevations. Therefore, the hydraulic analysis of the proposed bridge will consider both the effective Flood Insurance Study (FIS) model as well as the modeling completed for the FM Diversion Project.

As stated in the grant application, this project will raise the 12th Ave N/15th Ave N Red River crossing above the post-FM Diversion Project 100-year flood elevation, which is at elevation 897.1 (River Stage 37). To minimize the height of the crossing, the low member of the structure will be set to maintain 1-foot of separation above the post FM Diversion operation 100-year water surface elevation, or approximately 898.1 or higher. The 1-foot of vertical separation is typical to minimize the potential of ice and debris impacting the superstructure of the bridge. Note that the effective base flood elevation is at elevation 898.9 and the proposed crossing will also be evaluated utilizing the current effective model to ensure a no rise can be achieved.

Operation of the FM Diversion alone won't resolve the flooding issues associated with the existing bridge. The FM Diversion is designed to begin operating when the Red River flood stage reaches 37 feet, which has a 5-percent chance of occurring every year (20-year event). Once the FM Diversion begins to operate, it will maintain the 37-foot flood stage through the Fargo-Moorhead area up to the 100-year event. Additionally, the FM Diversion will hold the Red River to River Stage of 40 feet during a 500-year event, greatly reducing impacts of a catastrophic flood. See Figure 6 for a summary of the effect operation of the FM Diversion channel has on the water surface elevation at the 12th Ave N/15th Ave N crossing.

**12th Ave. N (Fargo)/15th Ave N (Moorhead)
Bridge Over the Red River**
River Stages Relative to Proposed and Existing Bridges

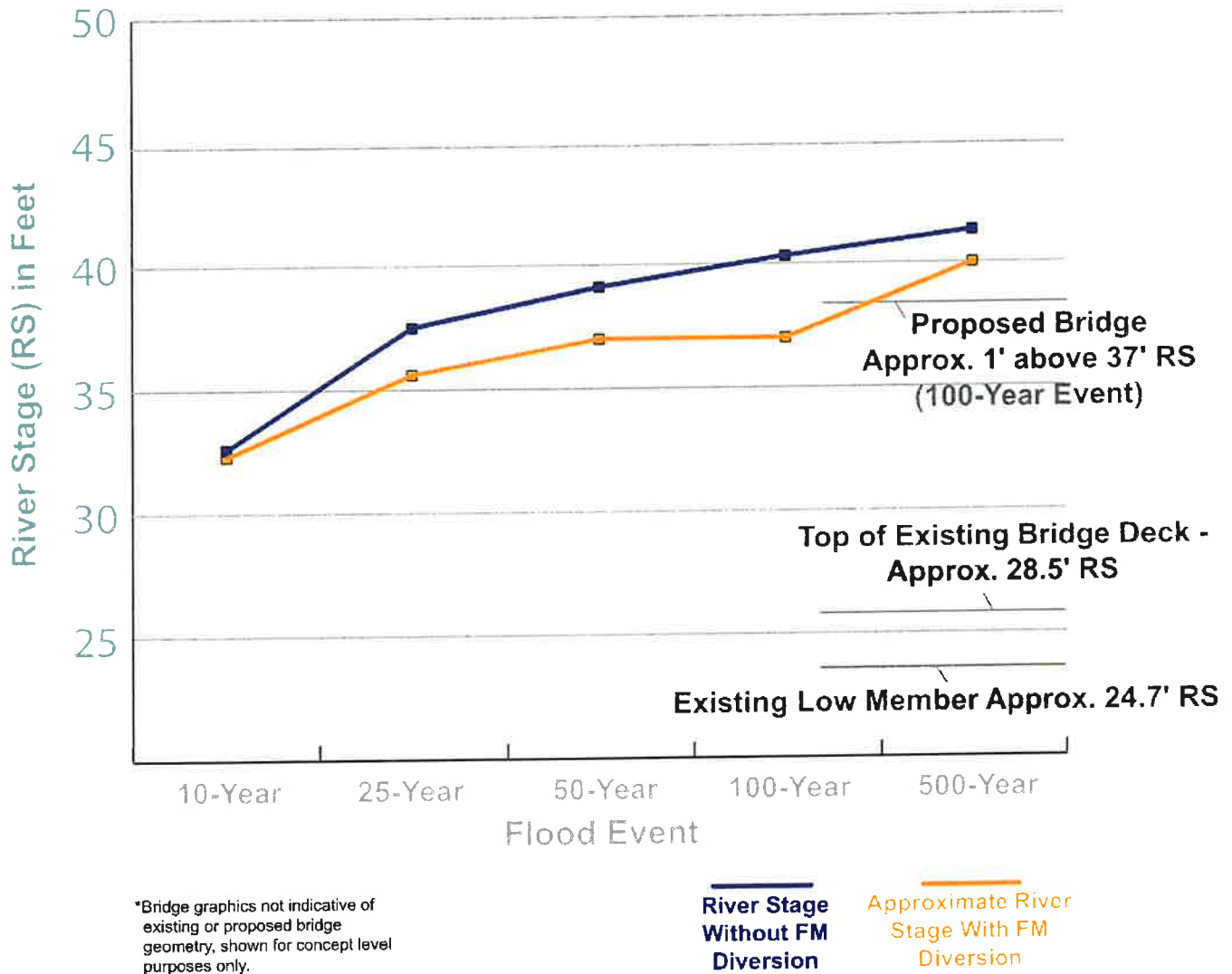


Figure 6 – River Stage Elevations

The proposed bridge configuration will also be incorporated into the current FIS hydraulic model to review potential upstream impacts. Utilizing the effective model is required for floodway and floodplain permitting. Within the hydraulic models, the existing bridge presents a significant blockage to river flows due to its low elevation. Based on our initial runs of the proposed bridge configuration, we are seeing no upstream or downstream impacts within the current FIS or FM Diversion models due to raising the structure and removing the blockage during flood events.

3.4. Elm St / 12th Ave N Intersection Options

A traffic operations study was completed to evaluate existing and future traffic conditions at the Elm St and 12th Ave N intersection and determine the Level of Service (LOS). Level of Service is a qualitative measure used to translate complex numerical performance into a simplified system that defines a traveler's perception of the quality of service provided by the facility. A letter grade, similar to a report card, ranging from A to F, is assigned based on various metrics such as speed, volume to capacity ratio, delay, stops and other criteria. See Table 2 for a summary of the general delays associated with each LOS.

Table 2 – Level of Service

LOS Designation	Signalized Intersection Avg Delay / Vehicle (Seconds)	Unsignalized Intersection Avg Delay / Vehicle (Seconds)	Description
A	0-10	0-10	Free Flowing / No Congestion
B	>10-20	>10-15	Stable Flow / Minimal Congestion
C	>20-35	>15-25	Stable Flow / Moderate Congestion
D	>35-55	>25-35	Approaching Unstable Flows / Increasing Congestion
E	>55-80	>35-50	Unstable Flows / Congested Conditions
F	>80	>50	Stop and Go / Volume Exceeds Capacity

The existing intersection consists of an all-way stop control resulting in an overall intersection Level of Service A during the AM peak hour and an overall intersection Level of Service D during the PM peak hour. Due to the forecasted traffic growth, traffic conditions with an all-way stop control are anticipated to continue to deteriorate, resulting in an overall intersection Level of Service C during the AM peak hour and an overall intersection Level of Service F during the PM peak hour in 2050. Additional intersection control options are being considered to provide efficient intersection operations in the future. Additional options considered include:

- Two-way stop control (North/South movements stop controlled)
- Mini Roundabout
- Signalized

The two-way stop control was eliminated from further consideration as it showed worse operations than the existing all-way stop control.

3.4.1. Mini Roundabout Control

A mini roundabout contains many of the same features as a traditional single lane roundabout. However, the footprint is significantly decreased as the geometry is developed to align with the turning movement needs of passenger vehicles as opposed to tractor-trailer combinations such as a WB-62. At this site, a traditional single lane roundabout would not be feasible due to right of way and property acquisitions. Larger vehicles are still able to navigate a mini-roundabout by traversing the mountable center island and occupying the majority of the intersection. Significant volumes of large vehicles are not anticipated within the intersection as 12th Ave N is currently designated as a no truck route within the City of Fargo. See Figure 7 for the proposed geometry associated with the mini-roundabout control.

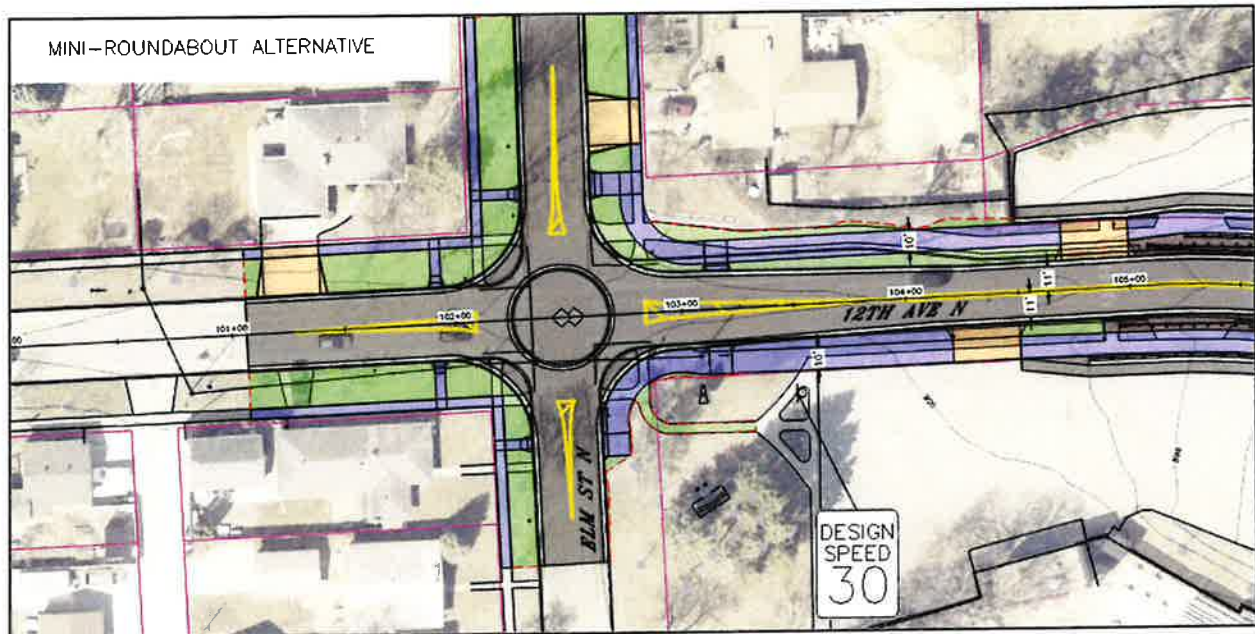


Figure 7 – Mini Roundabout Layout

3.4.1.1. Operation

A mini roundabout operates in the same manner as a traditional single lane roundabout. However, oversized vehicles can have a negative impact on the intersection as the turning movement will occupy the majority of the intersection. Based on the proposed geometry and limited oversized vehicles utilizing this intersection, oversized vehicle movements are not anticipated to affect the capacity of the roundabout. Based on the traffic operations analysis, the mini roundabout is expected to operate at an overall intersection Level of Service A during the AM and PM peak hour in 2050.

3.4.1.2. Impacts

The footprint of the mini roundabout is anticipated to fit within the existing right-of-way in the 12th Ave N and Elm St intersection, resulting in no additional right-of-way required to construct this intersection control option. There are also no wetlands or other aquatic resources that have been identified near the intersection.

The existing Fargo Park District property located north of 12th Ave N is considered a Section 4(f) property, while the property to the south, Jack Williams Stadium, is considered both Section 4(f) and Section 6(f). The mini roundabout option will not increase project impacts to either property.

3.4.1.3. *Opinion of Probable Cost*

The preliminary opinion of probable cost to construct Alternative B2 with mini roundabout intersection control is \$26,300,000 to \$27,800,000. The range of costs is due to the settlement mitigation options detailed under the Geotechnical section of this document.

3.4.2. Signalized Control

The traffic operations report for the signalized intersection option evaluated the need for additional turn lanes to improve signal timings and overall intersection operation. The report identified the need for left turn lanes at the following locations:

- 12th Ave Eastbound
- 12th Ave Westbound
- Elm St Southbound
- Elm St Northbound

The turn lane length was calculated based on the highest of the following three values:

- The 95th percentile queue of turning vehicles rounded up to the nearest 25 feet.
- The average queue distance of the adjacent through lane rounded up to the nearest 25 feet.
- Deceleration length plus minimum storage.

This evaluation resulted in recommended turn lane lengths of:

- 12th Ave Eastbound: 150'
- 12th Ave Westbound: 225'
- Elm St Southbound: 175'
- Elm St Northbound: 100'

The left turns overlap several driveways throughout the westbound, eastbound and southbound legs which will impact the overall operation of the intersection. See Figure 8 for the proposed signalized intersection configuration.

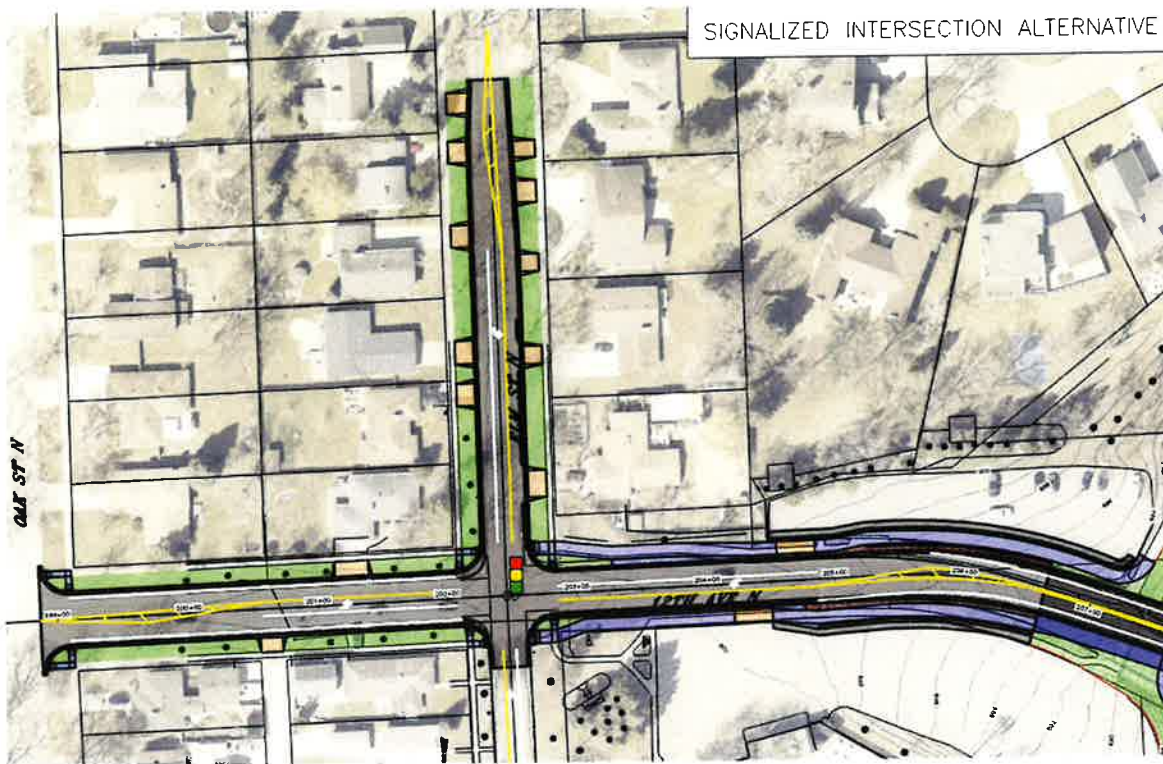


Figure 8 – Signalized Intersection Layout

3.4.2.1. Operation

The traffic operations report recommended signal heads for all four approach legs to consist of 4-section heads with flashing yellow arrow for left turn movements. Incorporating the recommended signal phasing and turn lanes a signalized intersection is expected to operate at an overall intersection Level of Service B during the AM and PM peak hour in 2050.

3.4.2.2. Impacts

The footprint of the signalized intersection is anticipated to be wider than the mini roundabout due to the required left turn lanes. This option would also extend the project limits north along Elm St approximately 500' to accommodate turn lane construction. The additional permanent right of way impacts are anticipated to be 0.02 acres. The acquired right of way is anticipated to be within Fargo Park District property, north of 12th Ave N.

There are no wetlands or other aquatic resources that have been identified near the intersection, so this option will not increase project impacts.

This option is anticipated to result in an increased impact to the Fargo Park District Section 4(f) property, north of 12th Ave N. To avoid Section 6(f) impacts south of 12th Ave N, the roadway will be shifted north to avoid permanent impacts to the Jack Williams stadium property.

3.4.2.3. Opinion of Probable Cost

The preliminary opinion of probable cost to construct Alternative B2 with signalized intersection control is \$27,400,000 to \$28,900,000. The range of costs is due to the settlement mitigation options detailed under the Geotechnical section of this document.

Table 3 – Comparison of Intersection Control Options

	All-Way Stop	Mini Roundabout	Signalized
2025 LOS (AM/PM)	A/D	A/A	B/B
2025 Average Delay (AM/PM)	9.5/30.1 seconds	4.1/4.7 seconds	14.0/15.2 seconds
2050 LOS (AM/PM)	C/F	A/A	B/B
2050 Average Delay (AM/PM)	19.5/128.3 seconds	6.1/6.2 seconds	18.9/18.8 seconds
Right-of-Way Impacts	-	0.13 acres	0.15 acres
Aquatic Resource Impacts	-	0.00 acres	0.00 acres
Section 4(f)/6(f) Impacts	-	No permanent Impacts Anticipated	Potential Permanent Section 4(f) Impacts Due to Turn Lanes
Preliminary Opinion of Probable Cost	-	\$26,300,000 - \$27,800,000	\$27,400,000 - \$28,900,000

Note:

1. All impacts shown are total anticipated impacts associated with Alternative B2 and the associated option.
2. The Opinion of Probable Cost represents the total anticipated project cost associated with each option.
3. Variation in total cost is due to settlement mitigation options being considered as detailed in the Geotechnical section of this document.
4. The signalized intersection control option will add approximately \$1.1 million to the total project cost compared to the mini roundabout option.

4. Executive Decisions

1. Do you concur with reconstruction and raising of the 12th Ave N/15th Ave N crossing?

_____ Yes

_____ No

2. Which Elm St Intersection option should proceed with the project?

_____ Option 1 – Mini Roundabout

_____ Option 2 – Signalized

Amendments/Comments for Project No. QR-25-B0:

Dr. Timothy J. Mahoney, City of Fargo Mayor

Date

APPENDICES

Appendix A

Preliminary Opinion of Probable Cost

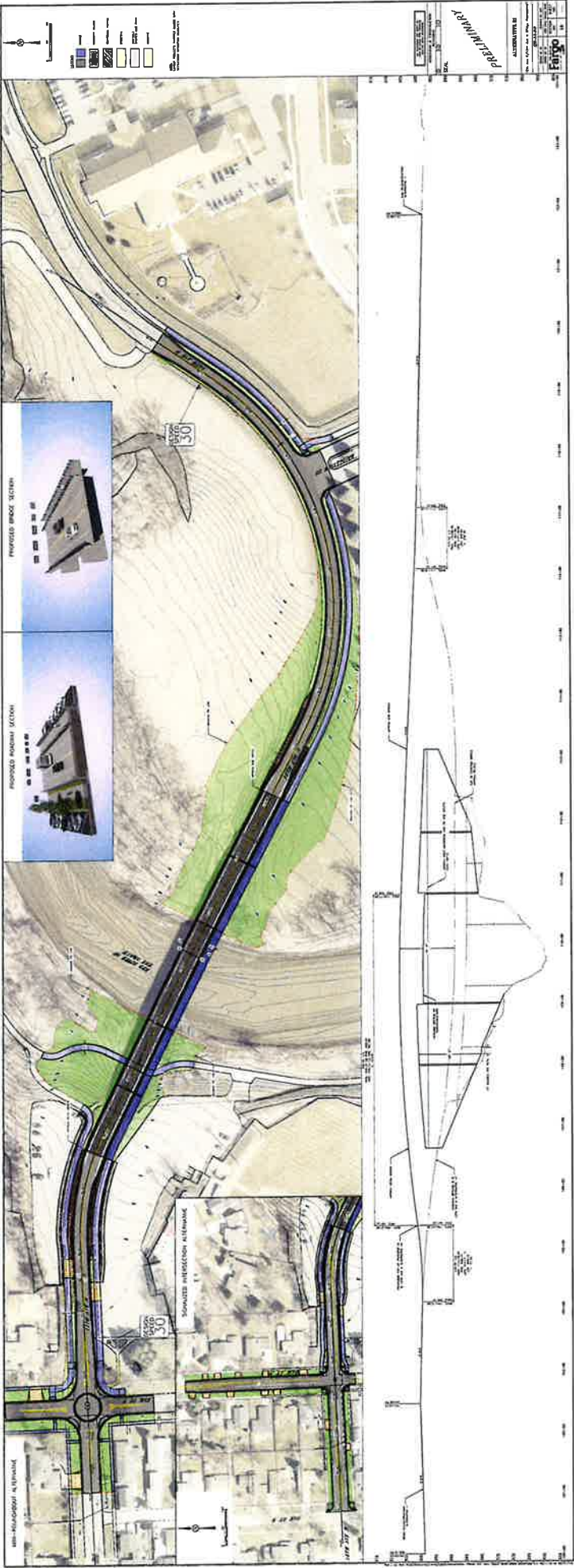
12TH AVE BRIDGE RECONSTRUCTION - ALTERNATIVE B1 BRIDGE REPLACEMENT ON EXISTING ALIGNMENT				
OPINION OF PROBABLE COST				
12/12/2025				
UNIT	ITEM	QUANTITY	UNIT COST	COST
L SUM	UTILITY RELOCATION	1	\$100,000.00	\$100,000.00
L SUM	CONTRACT BOND	1	\$190,000.00	\$190,000.00
ACRE	CLEARING & GRUBBING	1	\$25,000.00	\$21,250.00
LF	REMOVAL OF CURB & GUTTER	3638	\$13.00	\$47,294.00
TON	REMOVAL OF PAVEMENT	3983	\$20.00	\$79,660.00
LF	REMOVAL OF PIPE ALL TYPES AND SIZES	570	\$45.00	\$25,650.00
EA	REMOVAL OF MANHOLES	3	\$1,600.00	\$4,800.00
EA	REMOVAL OF CATCH BASIN	6	\$900.00	\$5,400.00
CY	COMMON EXCAVATION-TYPE A	1822	\$18.00	\$32,796.00
CY	TOPSOIL	1893	\$12.00	\$22,716.00
CY	BORROW EXCAVATION	14739	\$25.00	\$368,475.00
L SUM	EROSION CONTROL	1	\$90,000.00	\$90,000.00
CY	RIPRAP GRADE II	2423	\$120.00	\$290,760.00
TON	AGGREGATE BASE COURSE CL 5	3072	\$30.00	\$92,160.00
TON	SUPERPAVE FAA 43	1943	\$95.00	\$184,585.00
TON	PG 58S-34 ASPHALT CEMENT	117	\$550.00	\$64,350.00
SF	BRIDGE	31948	\$400.00	\$12,779,200.00
LF	RETAINING WALL	723	\$6,500.00	\$4,699,500.00
L SUM	MOBILIZATION	1	\$2,000,000.00	\$2,000,000.00
L SUM	TRAFFIC CONTROL	1	\$35,000.00	\$35,000.00
LF	PIPE CONC REINF 18IN CL III	1710	\$300.00	\$513,000.00
EA	MANHOLE 48IN	3	\$5,000.00	\$15,000.00
EA	INLET CATCH BASIN	16	\$7,500.00	\$120,000.00
LF	CURB & GUTTER-TYPE I	3296	\$60.00	\$197,760.00
LF	CURB & GUTTER MOUNTABLE-TYPE I	138	\$65.00	\$8,970.00
L SUM	PERMANENT SIGNING	1	\$5,000.00	\$5,000.00
SY	SIDEWALK CONCRETE 5IN	2546	\$75.00	\$190,950.00
SY	CONCRETE ISLAND PAVING	154	\$130.00	\$20,020.00
SY	DRIVEWAY CONCRETE	502	\$120.00	\$60,240.00
L SUM	PAVEMENT MARKINGS	1	\$18,000.00	\$18,000.00
LF	W-BEAM GUARDRAIL	358	\$55.00	\$19,668.00
EA	W-BEAM GUARDRAIL END TERMINAL	4	\$3,000.00	\$12,000.00
EA	LIGHTING SYSTEM A	1	\$350,000.00	\$350,000.00
CY	SURCHARGE EMBANKMENT	10382	\$8.00	\$83,056.00
CY	SURCHARGE REMOVAL	10382	\$5.00	\$51,910.00
LF	PREFABRICATED VERTICAL WICK DRAINS	321660	\$1.00	\$321,660.00
TON	SAND DRAIN	6825	\$20.00	\$136,490.56
SF	TEMPORARY RIGHT OF WAY	12000	\$0.50	\$6,000.00
SF	PERMANENT RIGHT OF WAY	19801	\$5.00	\$99,005.00
			SUBTOTAL	\$23,362,325.56
			25% CONTINGENCY	\$5,840,581.39
			TOTAL	\$29,202,906.94

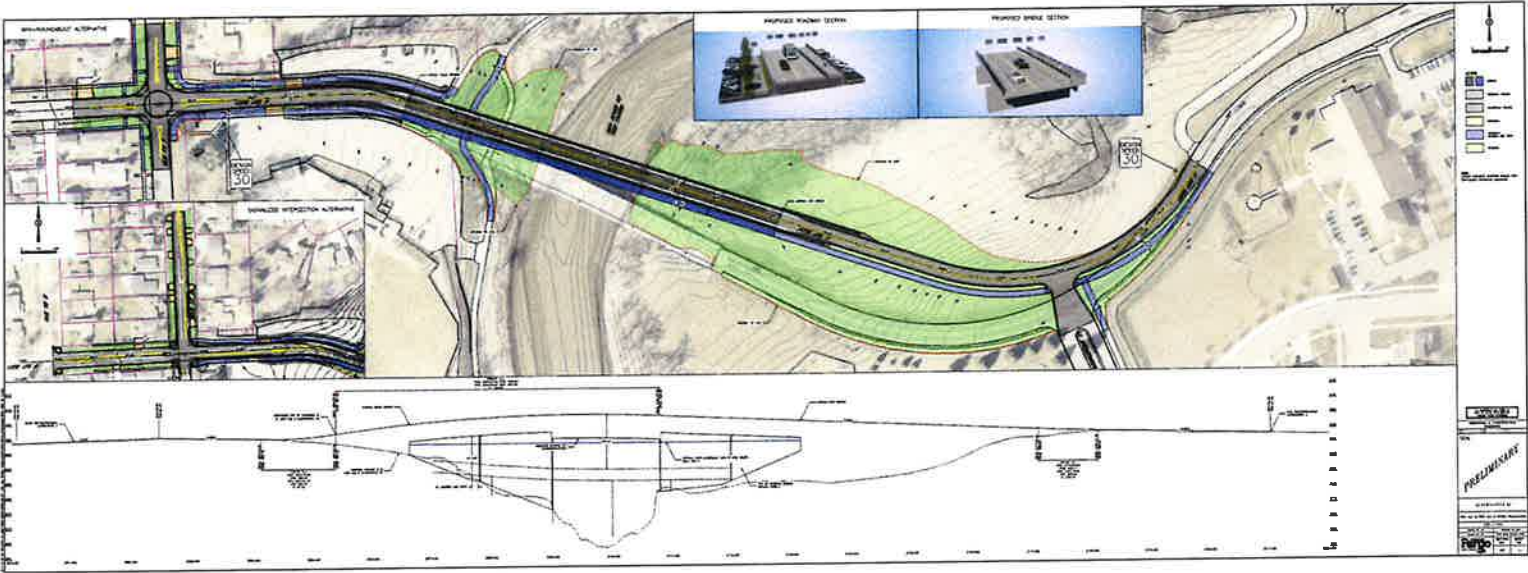
12TH AVE BRIDGE RECONSTRUCTION - ALTERNATE B2 BRIDGE REPLACEMENT ON REALIGNMENT WITH MINI ROUNDABOUT				
OPINION OF PROBABLE COST				
12/12/2025				
UNIT	ITEM	QUANTITY	UNIT COST	COST
L SUM	UTILITY RELOCATION	1	\$100,000.00	\$100,000.00
L SUM	CONTRACT BOND	1	\$200,000.00	\$200,000.00
ACRE	CLEARING & GRUBBING	1.53	\$25,000.00	\$38,250.00
LF	REMOVAL OF CURB & GUTTER	3638	\$13.00	\$47,294.00
TON	REMOVAL OF PAVEMENT	3983	\$20.00	\$79,660.00
LF	REMOVAL OF PIPE ALL TYPES AND SIZES	570	\$45.00	\$25,650.00
EA	REMOVAL OF MANHOLES	3	\$1,600.00	\$4,800.00
EA	REMOVAL OF CATCH BASIN	6	\$900.00	\$5,400.00
CY	COMMON EXCAVATION-TYPE A	2204 - 2497	\$18.00	\$39,676.14 - \$44,946.00
CY	TOPSOIL	2792 - 2702	\$12.00	\$33,504.00 - \$32,424.00
CY	BORROW EXCAVATION	22404 - 18572	\$25.00	\$560,100.00 - \$464,300.00
L SUM	EROSION CONTROL	1	\$90,000.00	\$90,000.00
CY	RIPRAP GRADE II	2423 - 2786	\$120.00	\$290,760.00 - \$334,320.00
TON	AGGREGATE BASE COURSE CL 5	3126 - 3013	\$30.00	\$93,780.00 - \$90,390.00
TON	SUPERPAVE FAA 43	1953 - 1882	\$95.00	\$185,535.00 - \$178,790.00
TON	PG 58S-34 ASPHALT CEMENT	117 - 113	\$550.00	\$64,350.00 - \$62,150.00
SF	BRIDGE	31948 - 35623	\$400.00	\$12,779,200.00 - \$14,249,200.00
LF	RETAINING WALL	318	\$6,500.00	\$2,067,000.00
L SUM	MOBILIZATION	1	\$2,000,000.00	\$2,000,000.00
L SUM	TRAFFIC CONTROL	1	\$35,000.00	\$35,000.00
LF	PIPE CONC REINF 18IN CL III	1686	\$300.00	\$505,800.00
EA	MANHOLE 48IN	3	\$5,000.00	\$15,000.00
EA	INLET CATCH BASIN	16	\$7,500.00	\$120,000.00
LF	CURB & GUTTER-TYPE I	3405 - 3255	\$60.00	\$204,300.00 - \$195,300.00
LF	CURB & GUTTER MOUNTABLE-TYPE I	138	\$65.00	\$8,970.00
L SUM	PERMANENT SIGNING	1	\$5,000.00	\$5,000.00
SY	SIDEWALK CONCRETE 5IN	2784 - 2700	\$75.00	\$208,800.00 - \$202,500.00
SY	CONCRETE ISLAND PAVING	154	\$130.00	\$20,020.00
SY	DRIVEWAY CONCRETE	502	\$120.00	\$60,240.00
L SUM	PAVEMENT MARKINGS	1	\$18,000.00	\$18,000.00
LF	W-BEAM GUARDRAIL	358	\$55.00	\$19,668.00
EA	W-BEAM GUARDRAIL END TERMINAL	4	\$3,000.00	\$12,000.00
EA	LIGHTING SYSTEM A	1	\$350,000.00	\$350,000.00
CY	SURCHARGE EMBANKMENT	11851 - 8677	\$8.00	\$94,808.00 - \$69,416.00
CY	SURCHARGE REMOVAL	11851 - 8677	\$5.00	\$59,255.00 - \$43,385.00
LF	PREFABRICATED VERTICAL WICK DRAINS	372690 - 270630	\$1.00	\$372,690.00 - \$270,630.00
TON	SAND DRAIN	7945 - 5753	\$20.00	\$158,904.17 - \$115,063.06
ACRE	WETLAND MITIGATION	0.091	\$70,000.00	\$6,370.00
SF	TEMPORARY RIGHT OF WAY	6000	\$0.50	\$3,000.00
SF	PERMANENT RIGHT OF WAY	6065	\$5.00	\$30,325.00
SUBTOTAL				\$21,013,109.31 - \$22,220,261.06
25% CONTINGENCY				\$5,253,277.33 - \$5,555,065.26
TOTAL				\$26,266,386.63 - \$27,775,326.32

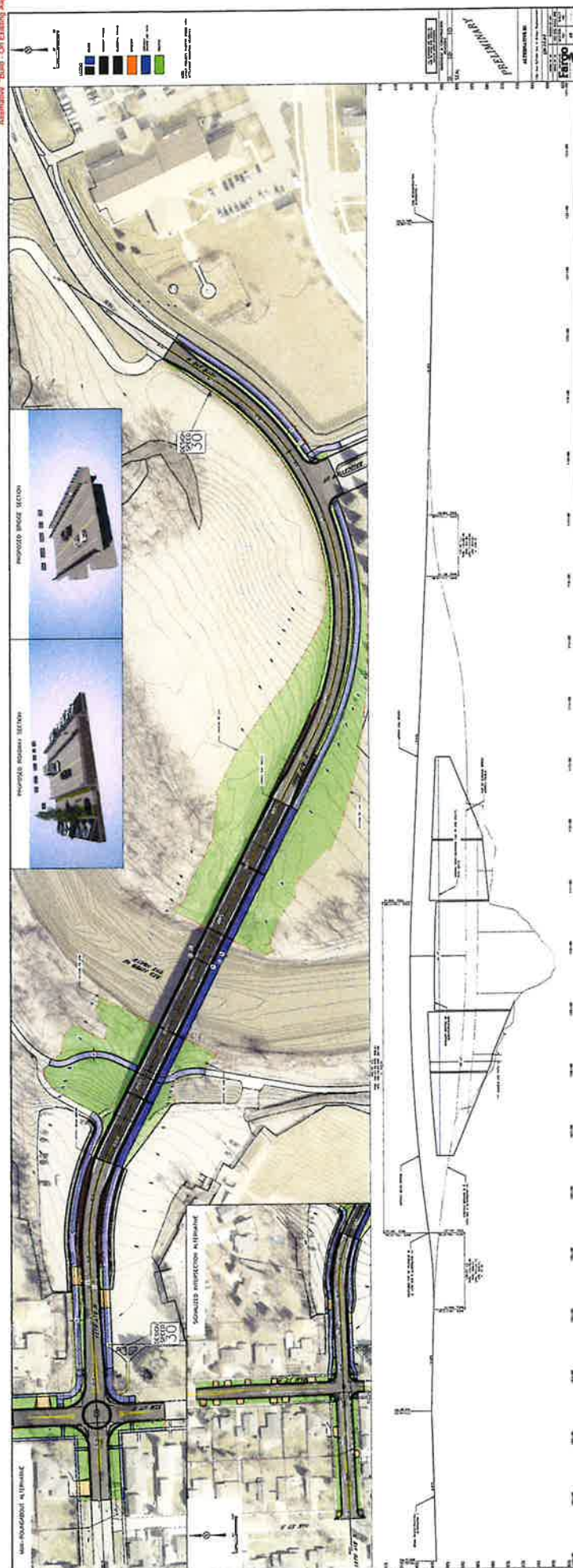
12TH AVE BRIDGE RECONSTRUCTION - ALTERNATE B2 BRIDGE REPLACEMENT ON REALIGNMENT WITH TRAFFIC SIGNAL OPINION OF PROBABLE COST 12/12/2025				
UNIT	ITEM	QUANTITY	UNIT COST	COST
L SUM	UTILITY RELOCATION	1	\$100,000.00	\$100,000.00
L SUM	CONTRACT BOND	1	\$210,000.00	\$210,000.00
ACRE	CLEARING & GRUBBING	1.53	\$25,000.00	\$38,250.00
LF	REMOVAL OF CURB & GUTTER	4719	\$13.00	\$61,347.00
TON	REMOVAL OF PAVEMENT	4849	\$20.00	\$96,980.00
LF	REMOVAL OF PIPE ALL TYPES AND SIZES	775	\$45.00	\$34,875.00
EA	REMOVAL OF MANHOLES	4	\$1,600.00	\$6,400.00
EA	REMOVAL OF CATCH BASIN	8	\$900.00	\$7,200.00
CY	COMMON EXCAVATION-TYPE A	3204 - 3497	\$18.00	\$57,676.14 - \$62,946.00
CY	TOPSOIL	3065 - 2975	\$12.00	\$36,780.00 - \$35,700.00
CY	BORROW EXCAVATION	21804 - 17972	\$25.00	\$545,100.00 - \$449,300.00
L SUM	EROSION CONTROL	1	\$100,000.00	\$100,000.00
CY	RIPRAP GRADE II	2423 - 2786	\$120.00	\$290,760.00 - \$334,320.00
TON	AGGREGATE BASE COURSE CL 5	4264 - 4151	\$30.00	\$127,920.00 - \$124,530.00
TON	SUPERPAVE FAA 43	2907 - 2836	\$95.00	\$276,165.00 - \$269,420.00
TON	PG 58S-34 ASPHALT CEMENT	174 - 170	\$550.00	\$95,700.00 - \$93,500.00
SF	BRIDGE	31948 - 35623	\$400.00	\$12,779,200.00 - \$14,249,200.00
LF	RETAINING WALL	318	\$6,500.00	\$2,067,000.00
L SUM	MOBILIZATION	1	\$2,000,000.00	\$2,000,000.00
L SUM	TRAFFIC CONTROL	1	\$50,000.00	\$50,000.00
LF	PIPE CONC REINF 18IN CL III	2286	\$300.00	\$685,800.00
EA	MANHOLE 48IN	5	\$5,000.00	\$25,000.00
EA	INLET CATCH BASIN	20	\$7,500.00	\$150,000.00
LF	CURB & GUTTER-TYPE I	4286 - 4136	\$60.00	\$257,160.00 - \$248,160.00
L SUM	PERMANENT SIGNING	1	\$7,000.00	\$7,000.00
SY	SIDEWALK CONCRETE 5IN	2534 - 2450	\$75.00	\$190,050.00 - \$183,750.00
SY	DRIVEWAY CONCRETE	844	\$120.00	\$101,280.00
L SUM	PAVEMENT MARKINGS	1	\$30,000.00	\$30,000.00
LF	W-BEAM GUARDRAIL	358	\$55.00	\$19,668.00
EA	W-BEAM GUARDRAIL END TERMINAL	4	\$3,000.00	\$12,000.00
EA	LIGHTING SYSTEM A	1	\$350,000.00	\$350,000.00
EA	TRAFFIC SIGNAL SYSTEM	1	\$350,000.00	\$350,000.00
CY	SURCHARGE EMBANKMENT	11851 - 8677	\$8.00	\$94,808.00 - \$69,416.00
CY	SURCHARGE REMOVAL	11851 - 8677	\$5.00	\$59,255.00 - \$43,385.00
LF	PREFABRICATED VERTICAL WICK DRAINS	372690 - 270630	\$1.00	\$372,690.00 - \$270,630.00
TON	SAND DRAIN	7945 - 5753	\$20.00	\$158,904.17 - \$115,063.06
ACRE	WETLAND MITIGATION	0.091	\$70,000.00	\$6,370.00
SF	TEMPORARY RIGHT OF WAY	6000	\$0.50	\$3,000.00
SF	PERMANENT RIGHT OF WAY	6680	\$5.00	\$33,400.00
			SUBTOTAL	\$21,887,738.31 - \$23,094,890.06
			25% CONTINGENCY	\$5,471,934.58 - \$5,773,722.51
			TOTAL	\$27,359,672.88 - \$28,868,612.57

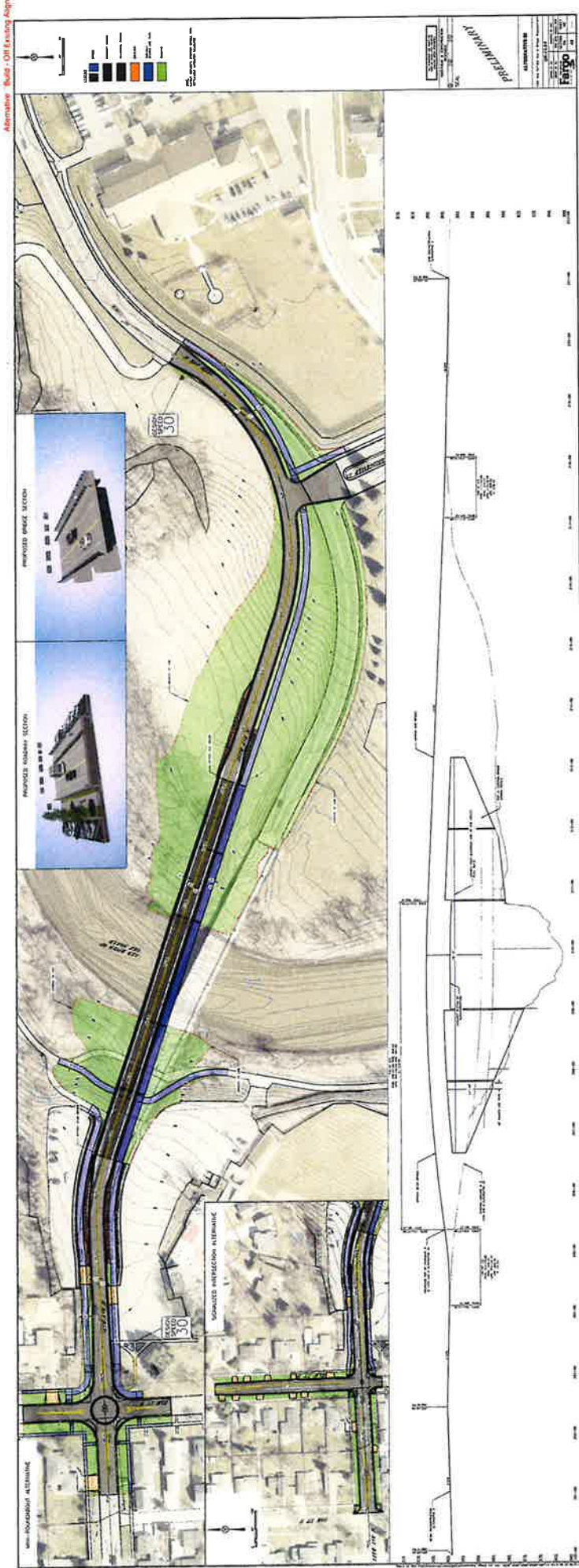
Appendix B

Preliminary Layout











ASSESSOR'S OFFICE

Fargo City Hall
225 4th Street North
Fargo, ND 58102
Phone: 701.241.1340 | Fax: 701.241.1339
www.FargoND.gov

January 14, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Attached is the Application for Abatement or Refund of Taxes #4632. The applications are for a residence located at 1112 10th St N. The application requests the following:

A reduction of the 2024 assessment from \$183,300 to \$115,000

We have provided information regarding the valuation of this property and the reasons for a value adjustment. With the information provided by the owner and our staff appraiser's review, and based on the current conditions and issues of the property, we created new approaches to value and we feel a reduction is warranted.

SUGGESTED MOTION:

**Approve a reduction of the property value at 1112 10th St N in the following manner:
#4632 – reduce the 2024 certified value to \$115,000**

Sincerely,

Michael Splonskowski

Michael Splonskowski
Fargo City Assessor

Appeal of Property Tax Assessment

City of Fargo Staff Report

General Appeal Information

Tax Year: 2024
Filed Via: Abatement #2024-4632
Parcel Number: 01-0440-01280-000
Address: 1112 10th St N
Owner Name: Jon Vannett
Appellant: Jon Vannett
Requested Value: \$115,000

Subject Property



Property Type:	Duplex – Conversion
Story Height:	Two Story
Year Built:	1904
Size (SF):	1,540 sf
Transaction History:	<i>No Recent Sales</i>
True and Full Value:	\$ 183,300 (\$ 119 / sf)

Appeal Summary

This 2024 value of this property has been appealed due to a reduction in value in 2025, as part of our normal reappraisal. The owner contends that value was overstated by our office, due to inaccurate condition classification, and is looking for a reduction over the amount adjusted in 2025.

City of Fargo Staff Analysis

The property was inspected in 2014, 2019, and 2024 as part of our reappraisal. At the first two inspections, the house was found to be in average condition for its age. In 2024, the condition had deteriorated significantly, prompting a change in value. For this abatement, city staff did an inspection on 1/9/2026 and confirmed the deteriorated condition.

Assessment Fairness

To test for assessment fairness, we compare the true and full value to that of similar properties in fair condition. We identified 10 similar properties in fair condition. Comparably assessed properties ranged from \$59/SF to \$84/SF, with a median of \$80/SF. This list is available from our work file upon request.

Valuation Accuracy

We tested the accuracy of the true and full value by studying comparable sale prices. The following sales are in fair condition and are comparable to the subject. The comparable sales range from \$50/SF to \$105/SF, with the median sales price at \$87/SF. The subject was valued higher than the median sale price.

Address	Story Height	Year Built	Baths	Garage Stalls	Size (SF)	Sale Date	Sale Price (w/ SPUN)	Price / SF
205 16 ST S	2 Sty	1930	3	2	1720	01-Aug-23	148000	\$86
315-315 1/2 12 ST N	2 Sty	1919	2	0	1560	20-Jan-23	138000	\$88
701 3 ST N	2 Sty	1903	2	0	1922	19-Aug-22	96650	\$50
921 6 AVE N	2 Sty	1917	2	0	1536	18-Aug-23	162700	\$106
Subject	2 Sty	1904	2	2	1,540	Original	\$ 183,300	\$ 119
						Recommended	\$115,000	\$ 75

Cost Approach

A new cost approach with updated information was calculated for the property in fair condition. The new cost indicates a value of \$127,700, or \$83/SF. This value is significantly below the current assessment.

Conclusion

We agree that the subject's 2024 value was overstated. The sales show a median sale price of \$88/SF and comparably assessed properties are valued at a median of \$80/SF. While the value suggested by our adjusted cost approach brings the property into a range supported by the sales and comparable assessments, we feel that the condition of the property does not support that value. The condition issues put the property on the lower end of the value range, and so we agree to the suggested value of the appellant.

Recommended Action:

Approve the value reduction down to \$115,000 for the 2024 tax year.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District City of Fargo

County of Cass

Property I.D. No. 01-0440-01280-000

Name JON VANNETT

Telephone No. _____

Address 722 17th St N, Moorhead, MN 56560

RECEIVED

Legal description of the property involved in this application:

Lot: 22 Block: 7 CHAPINS-HANSCHES SUB LOT 22 BLK 7

JAN 05 2023

FARGO ASSESSOR

Total true and full value of the property described above for the year 24 is:

Land \$ 183,300
Improvements \$ 0
Total \$ 183,300
(1)

Total true and full value of the property described above for the year 24 should be:

Land \$ 115,000
Improvements \$ 0
Total \$ 115,000
(2)

The difference of \$ 68,300.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☒ 10. Other (explain) The property has been overvalued by the city for over a decade.

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ 65,000 Date of purchase: 2/2003
Terms: Cash _____ Contract ☒ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? no Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? no If yes, how long? _____
yes/no
- Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: no Purpose of appraisal: _____
yes/no
- Market value estimate: \$ _____
- Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ 115,000
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): N/A

Applicant asks that I get a refund for the taxes I over paid, penalties, late charges, and interest that where paid.

I would have never been late on my taxes if the city of Fargo's assessors office was doing their job!!!!

The Stae should investigate the City of Fargo's assessors office. I am sure I am not the only victim!!!!

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant)

Date

Signature of Applicant

Date

Jon Vannett 12-23-25

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____
City Auditor or Township Clerk**Action by the Board of County Commissioners**Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant

Jon Vannett

County Auditor's File No.

4632

Date Application Was Filed
With The County Auditor

12/23/25

Date County Auditor Mailed
Application to Township
Clerk or City Auditor

12/23/25

(must be within five business days of filing date)



January 12, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements submitted by Shannon and Peter Chamberlin. A description of the types of improvements to be made are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$123 with the City of Fargo's share being \$21

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Splonskowski".

Mike Splonskowski
City Assessor

nlb
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed _____
2. Address of Property _____
3. Parcel Number _____
4. Name of Property Owner Peter and Shannon Chamberlain Phone No. _____
5. Mailing Address of Property Owner _____

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). 2nd Floor Remodel, removing bedroom and adding bath, full bath remodel
7. Building permit No. 2507-0955 8. Year built (residential property) 1880
9. Date of commencement of making the improvements 07/29/2025
10. Estimated market value of property before the improvements \$ 289,700.00
11. Cost of making the improvement (all labor, material and overhead) \$ 75,000.00
12. Estimated market value of property after the improvements \$ 298,900.00

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant



Date

12/14/25

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application ☒ do not ☐ meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization



Date

1-15-2026

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved ☐ Denied ☐
Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____

Date _____



456

January 12, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements submitted by James and Kristi Kirkeby. A description of the types of improvements to be made are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$78 with the City of Fargo's share being \$13.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

nib
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02-2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal Description of the property for which exemption is claimed _____

2. Address of Property _____
3. Parcel Number _____
4. Name of Property Owner KIRKEBY, JAMES JAY & KRISTI Phone No. _____
5. Mailing Address of Property Owner _____

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). _____
basement remodel
7. Building permit No. 25080049 8. Year built (residential property) 1960's
9. Date of commencement of making the improvements 2018 ?
10. Estimated market value of property before the improvements \$ 420000
11. Cost of making the improvement (all labor, material and overhead) \$ 20,000
12. Estimated market value of property after the improvements \$ 438000

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.
- Applicant Kristi Kealey Date 1.4.2026

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do do not meet the qualifications for exemption for the following reason(s): _____
- Assessor/Director of Tax Equalization [Signature] Date 1-15-2026

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved Denied
- Approval is subject to the following conditions: _____
- Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.
- Chairperson _____ Date _____



450

January 12, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements submitted by Jade and Laney Witty. A description of the types of improvements to be made are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$1,206 with the City of Fargo's share being \$205.

Sincerely,

A handwritten signature in black ink that reads "Mike Splonskowski".

Mike Splonskowski
City Assessor

nlb
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

Property Owner *

WITTY, JADE S & LANEY J

Description Of Improvements For Exemption

Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed. *	Home addition - Added bedroom, bathroom and entry way to back of house
Building permit No. *	2404-0588-ADD
Year built (residential property) *	1941
Date of commencement of making the improvements *	6/1/2024
Estimated market value of property before the improvements *	\$ 200,000.00
Cost of making the improvement (all labor, material and overhead) *	\$ 60,000.00
Estimated market value of property after the improvements *	\$ 280,000.00

Applicant's Certification And Signature

I certify that the information contained in this application is correct to the best of my knowledge.

Jade Witty

Date *

1/7/2026

Assessor's Determination And Signature

The assessor/county director of tax equalization finds that the improvements described in this application *

☒ do

☐ do not

meet the qualifications for exemption for the following reason(s): *

The residential property was built 25 or more years ago

Assessor/Director of Tax Equalization

Michael Spindler

Date *

1/7/2026

Action of Governing Body

Action taken on this application by the governing board of the county or city: *

☒ Approved

☐ Denied

Approval is subject to the following conditions:

Exemption is allowed for years

Year



45d

January 12, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements submitted by Roger and Lynn Burris. A description of the types of improvements to be made are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$106 with the City of Fargo's share being \$18.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Splonskowski".

Mike Splonskowski
City Assessor

nlb
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed _____
2. Address of Property _____
3. Parcel Number _____
4. Name of Property Owner Roger and Lynn Burris Phone No. _____
5. Mailing Address of Property Owner _____

Description Of Improvements For Exemption

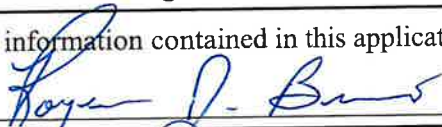
6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Finish Basement with Family Room and Bedroom
7. Building permit No. 2503-0044
8. Year built (residential property) 1947
9. Date of commencement of making the improvements _____
10. Estimated market value of property before the improvements \$ 173,100.00
11. Cost of making the improvement (all labor, material and overhead) \$ 23,000
12. Estimated market value of property after the improvements \$ 181,000.00

* We Also Did
New Roof in 2004
Through Magnum Roofing
For 8,000. Back
steps in 2004 for 4,000
and new Flat Roof
in 2003 Through Furg
Roofing for 11,000.00

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant



Date

1-3-28

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do ☒ do not ☐ meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization



Date

1-15-2020

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved ☐ Denied ☐
Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____

Date _____



45e

January 12, 2026

Board of City Commissioners
City Hall
Fargo, ND 58102

Dear Commissioners:

Chapter 57-02.2 of the North Dakota Century Code provides for a property tax exemption for certain types of improvements made to existing buildings.

I have attached a copy of an application for real estate tax exemption of building improvements submitted by Darin and Katherine Sherva. A description of the types of improvements to be made are indicated on the application.

It is my opinion that the value of some of the improvements, referred to in the application, qualifies for the exemption. This exemption would be for 5 years.

The estimated annual tax revenue lost by granting the exemption, based upon the estimated cost of the improvements, would be about \$399 with the City of Fargo's share being \$68.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Splonskowski".

Mike Splonskowski
City Assessor

nlb
attachment

Application For Property Tax Exemption For Improvements To Commercial And Residential Buildings

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed _____

2. Address of Property _____

3. Parcel Number _____

4. Name of Property Owner Darin + Katherine Sherva Phone No. _____

5. Mailing Address of Property Owner _____

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). Update Kitchen

7. Building permit No. 2504-0452 8. Year built (residential property) 1994

9. Date of commencement of making the improvements 5/7/25

10. Estimated market value of property before the improvements \$ 409,700

11. Cost of making the improvement (all labor, material and overhead) \$ 74,000

12. Estimated market value of property after the improvements \$ 439,400

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant Kathy Sherva Date 1/9/2026

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do ☒ do not ☐ meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization [Signature] Date 1-15-2026

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved ☐ Denied ☐

Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____ Date _____