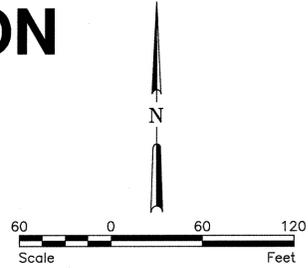


# 42ND STREET SECOND ADDITION

BEING A VACATION OF A PORTION OF  
NEGATIVE ACCES EASEMENT AND A REPLAT  
OF LOT 1, BLOCK 1, 42ND STREET ADDITION  
TO THE CITY OF FARGO,  
CASS COUNTY, NORTH DAKOTA



### LEGEND

IRON MONUMENT FOUND	●
1/2" I.D. IRON PIPE SET	○
MEASURED DISTANCE	449.78'
PLATTED DISTANCE	(449.75')
MEASURED BEARING	N87°53'40"E
PLATTED BEARING	(S87°37'23"E)
EXISTING NEGATIVE ACCESS EASEMENT (DOC. NO. 989461)	
NEW NEGATIVE ACCESS DEDICATION WITH THIS PLAT	

NEGATIVE ACCESS EASEMENT, AS NOTED ON THIS PLAT, IS AN EASEMENT DEDICATED AS PART OF THE RIGHT-OF-WAY DEDICATION WHICH EASEMENT DENIES DIRECT VEHICULAR ACCESS TO A STREET OR PUBLIC WAY FROM THE LOT OR LOTS ADJACENT TO SUCH STREET OR WAY. THE NEGATIVE ACCESS EASEMENT IS NOT A STRIP OF LAND OF ANY CERTAIN WIDTH, BUT IS A LINE COTERMINOUS WITH THE BOUNDARY OF THE ADJACENT LOT OR LOTS.

BEARINGS SHOWN ARE ON CITY OF FARGO GIS DATUM.

OWNERS' CERTIFICATE:  
KNOW ALL PERSONS BY THESE PRESENTS: THAT BUILDERS MANAGEMENT AND INVESTMENT COMPANY, INC., A NORTH DAKOTA CORPORATION; LEONARD P. FLOBERG, JR., TRUSTEE OF THE LEONARD P. FLOBERG AND DARLYNE M. FLOBERG REVOCABLE TRUST, A NORTH DAKOTA TRUST; DELORES E. GREEN LIMITED PARTNERSHIP, A NORTH DAKOTA LIMITED PARTNERSHIP; AND S & J INVESTMENTS, LLC, A NORTH DAKOTA LIMITED LIABILITY COMPANY; ARE THE OWNERS AND PROPRIETORS OF LOT 1, BLOCK 1, 42ND STREET ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA.

SAID TRACT OF LAND CONTAINS 312,269 SQUARE FEET, MORE OR LESS.

AND THAT SAID PARTIES HAVE CAUSED THE SAME TO BE SURVEYED AND RE-PLATTED AS 42ND STREET SECOND ADDITION TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA, AND DO HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE, ALL THE NEGATIVE ACCESS EASEMENTS SHOWN ON THE PLAT. SAID PARTIES FURTHER STATE THAT THE VACATION OF THE NEGATIVE ACCESS EASEMENT AS SHOWN ON THIS PLAT IS BY AGREEMENT.

### OWNERS:

BUILDERS MANAGEMENT AND INVESTMENT COMPANY, INC.

*David Schmidt*  
DAVID SCHMIDT, VICE-CHAIRMAN OF THE BOARD

LEONARD P. FLOBERG, JR., TRUSTEE OF THE LEONARD P. FLOBERG AND DARLYNE M. FLOBERG REVOCABLE TRUST

*Leonard P. Floberg Jr.*  
LEONARD P. FLOBERG, JR., TRUSTEE

DELORES E. GREEN LIMITED PARTNERSHIP

*Jacqueline Green*  
JACQUELINE GREEN, GENERAL PARTNER

S & J INVESTMENTS, LLC

*Jacqueline Green*  
JACQUELINE GREEN, SECRETARY

### SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT:

I, CURTIS A. SKARPHOL, REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NORTH DAKOTA, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY OF SAID SUBDIVISION; AND THAT THE MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN LOCATED OR PLACED IN THE GROUND AS SHOWN.

DATED THIS 22<sup>ND</sup> DAY OF OCTOBER, 2013

*Curtis A. Skarphol*  
CURTIS A. SKARPHOL  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4723



CITY ENGINEER'S APPROVAL:  
APPROVED BY THE FARGO CITY ENGINEER THIS 30<sup>TH</sup> DAY OF OCTOBER, 2013

*April E. Walker*  
APRIL E. WALKER, CITY ENGINEER



FARGO PLANNING COMMISSION APPROVAL:  
APPROVED BY THE CITY OF FARGO PLANNING COMMISSION THIS 1<sup>ST</sup> DAY OF OCTOBER, 2013

*John Q. Paulsen*  
JOHN Q. PAULSEN, CHAIR  
FARGO PLANNING COMMISSION

FARGO CITY COMMISSION APPROVAL:  
APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORDERED FILED THIS 25<sup>TH</sup> DAY OF NOVEMBER, 2013

*Dennis R. Walaker*  
DENNIS R. WALAKER, MAYOR

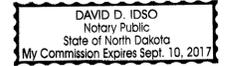
### ATTEST:

*Steven Sprague*  
STEVEN SPRAGUE, CITY AUDITOR

STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 22 DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED DAVID SCHMIDT, VICE-CHAIRMAN OF THE BOARD OF BUILDERS MANAGEMENT AND INVESTMENT COMPANY, INC., A NORTH DAKOTA CORPORATION, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF SAID CORPORATION.

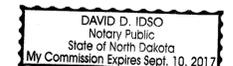
NOTARY PUBLIC: *David D. Idso*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 22 DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED LEONARD P. FLOBERG, JR., TRUSTEE OF THE LEONARD P. FLOBERG AND DARLYNE M. FLOBERG REVOCABLE TRUST, A NORTH DAKOTA TRUST, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF SAID TRUST.

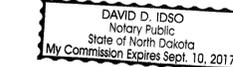
NOTARY PUBLIC: *David D. Idso*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 22 DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED JACQUELINE GREEN, GENERAL PARTNER OF DELORES E. GREEN LIMITED PARTNERSHIP, A NORTH DAKOTA LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME ON BEHALF OF SAID LIMITED PARTNERSHIP.

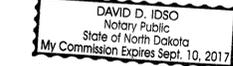
NOTARY PUBLIC: *David D. Idso*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 22 DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED JACQUELINE GREEN, SECRETARY OF S & J INVESTMENTS, LLC, A NORTH DAKOTA LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME ON BEHALF OF SAID LLC.

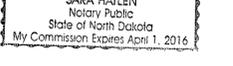
NOTARY PUBLIC: *David D. Idso*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 22<sup>ND</sup> DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED CURTIS A. SKARPHOL, REGISTERED PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

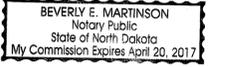
NOTARY PUBLIC: *Sara Hatlen*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 30<sup>TH</sup> DAY OF October, 2013, BEFORE ME PERSONALLY APPEARED APRIL E. WALKER, CITY ENGINEER, CITY OF FARGO, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME AS HER FREE ACT AND DEED.

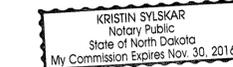
NOTARY PUBLIC: *Beverly E. Martinson*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 5<sup>TH</sup> DAY OF November, 2013, BEFORE ME PERSONALLY APPEARED JOHN Q. PAULSEN, CHAIR, FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON WHO IS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME ON BEHALF OF THE FARGO PLANNING COMMISSION.

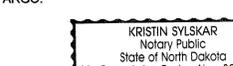
NOTARY PUBLIC: *Kristin Sylskar*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

ON THIS 26<sup>TH</sup> DAY OF November, 2013, BEFORE ME PERSONALLY APPEARED DENNIS R. WALAKER, MAYOR, CITY OF FARGO; AND STEVEN SPRAGUE, CITY AUDITOR, CITY OF FARGO, KNOWN TO ME TO BE THE PERSONS WHO ARE DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME ON BEHALF OF THE CITY OF FARGO.

NOTARY PUBLIC: *Kristin Sylskar*



STATE OF NORTH DAKOTA }  
COUNTY OF CASS } SS

1406053  
Page: 1 of 1  
11/26/2013 3:31 PM  
City of Fargo Book: Z-1 Page: 42 PLAT \$20.00

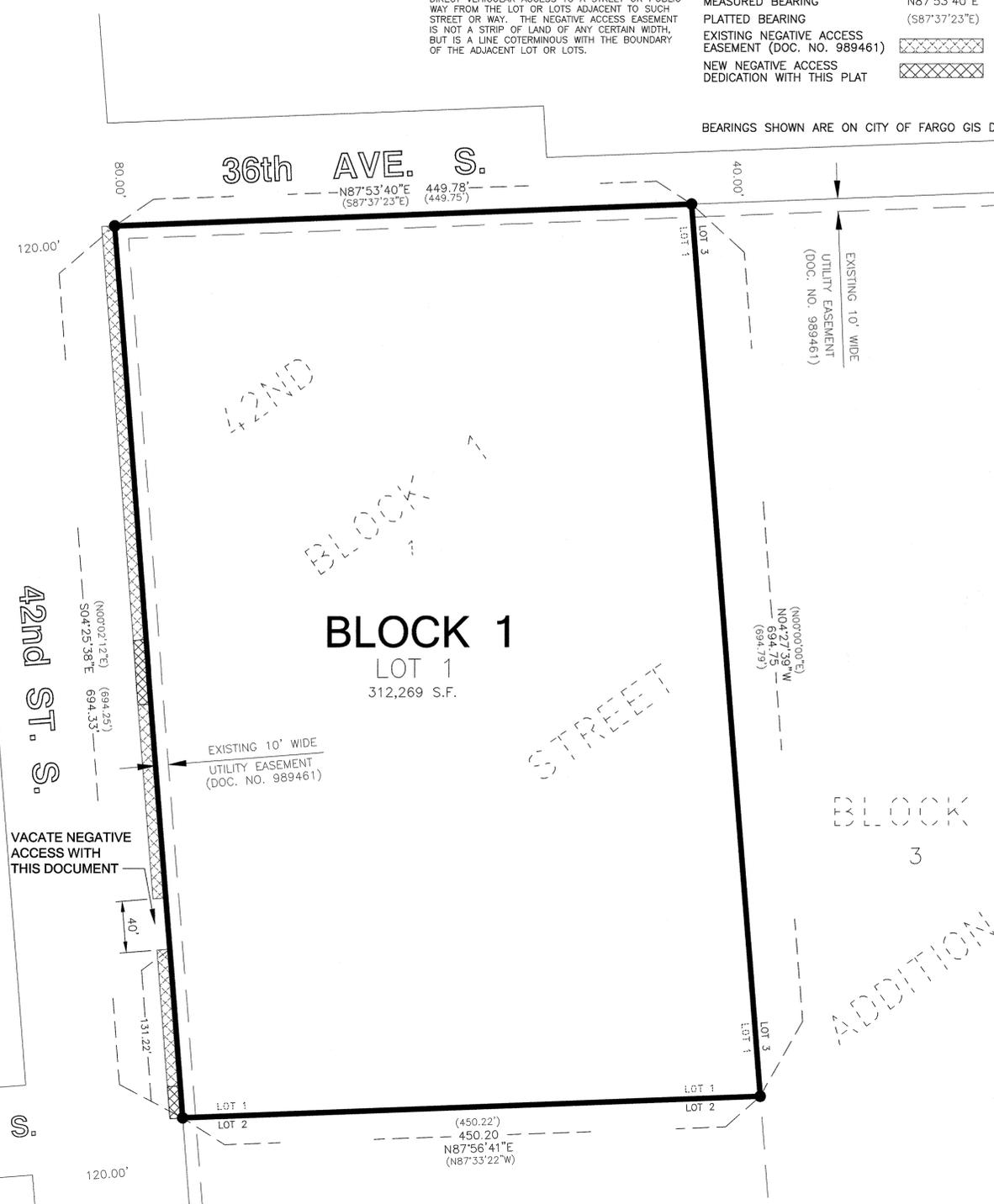
RECORDER'S OFFICE, CASS COUNTY, ND  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
JEWEL A. SPIES, COUNTY RECORDER  
by *Jewel A. Spies*, Dep. 1406053  
Recorded Electronically



AUDITOR'S OFFICE  
COUNTY OF CASS, NORTH DAKOTA  
11/26/2013  
Taxes and Special Assessments paid  
and transfer entered.  
*Michael M. Johnson* AUDITOR  
DLJ DEPUTY



Project No. 7106-003  
**HoustonEngineering Inc.**  
Phone: 701.237.5065



37th AVE. S.

42nd ST. S.

36th AVE. S.

BLOCK 1

LOT 1  
312,269 S.F.

BLOCK 1

3  
ADDITION