



AGENDA  
Board of City Commissioners  
March 25, 2025 | 6:00 pm CT  
City Hall & GoToMeeting | Williston, North Dakota

1. Roll Call of Commissioners and Pledge of Allegiance
2. Consent Agenda
  - A. Reading and Approval of Minutes
    - 1) Regular Meeting – March 11, 2025
  - B. Auditor and Finance
    - 1) Accounts, Claims, and Bills – March 6-19, 2025
    - 2) Business Licenses
    - 3) Family Crisis Shelter, Inc. / Walk a Mile in Her Shoes – Street Closure Request
    - 4) CVB / Band Day – Street Closure Request
    - 5) CVB / Chokecherry Festival – Street Closure Request
  - C. Development Services
    - 1) Contractor Licenses
  - D. Engineering
  - E. Authorization to Advertise for Bids
3. Public Hearings
  - A. Ordinance 1160 – Amendment to Ordinance 613 Amending Section 31: Definitions for Quasi-Institutional to Remove “Food” from the Definition (First Reading)
  - B. Proposed Subdivision Plat to Create Northstar Center Subdivision Rearrangement #1, a Rearrangement of Northstar Center Subdivision, Section 23, T155N, R101W; an Amendment of the Future Land Use Designation to Commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1; an Amendment to the Transportation Plan, Including the Revisions to the 2040 Functional Classification Network; and an Amendment to the Planned Unit Development for Northstar Center Subdivision Rearrangement #1; and the Rezoning of Lot 1 to A: Agricultural District; and the Rezoning of Lots 2 and 3 to C-2: General Commercial District for the Northstar Center Subdivision Rearrangement #1 – Critical Data House, LLC
4. Bid Openings
  - A. 2025 Underground Wire Replacement Project (Street Lights)
5. Ordinances
6. Petitions, Communications, and Remonstrances
7. Report of Commissioners
  - A. President of the Board
  - B. Finance Commissioner
  - C. Airport, Engineering, and Public Works Commissioner
  - D. Ambulance, Fire, and Police Commissioner
  - E. Development Services, Economic Development, and Library Commissioner

8. Report of Departments
  - A. Administration
  - B. Finance
  - C. Attorney
    - 1) Ordinance 1161 – Amendment to Animal Penalties (First Reading)
    - 2) Ordinance 1162 – Amendment to Building Code Penalty (First Reading)
    - 3) SRO Agreement for 2025-2026 School Year
    - 4) Ordinance 1163 – Wildlife Management Program (First Reading)
    - 5) Ordinance 1164 – 48 Hour Parking (First Reading)
  - D. Public Works
  - E. Engineering
  - F. Fire Department
  - G. Police Department
  - H. Development Services
    - 1) Review of A Proposed Major Subdivision, a Rearrangement of Lots 1-13, Block 2 of the Bennett Industrial Park Third Addition Subdivision, and Lot 2R a Rearrangement of Lot 20, Block 2, Bennett Industrial Park Third Addition, T154N, R101W – Corner Post LLC
  - I. Economic Development
    - 1) Flex PACE Applications
      - a. The Corn Dog Company
      - b. Highline Cleaning Services
      - c. JCR Excavating
    - 2) Community Grant Applications
      - a. Williston Military Affairs Committee
      - b. Trinity Christian School
  - J. Airport
    - 1) Air Service Agreement – Sun Country Airlines
    - 2) Customs & Border Protection Cost Sign-Off Authorization
    - 3) Multi-Function Snow Removal Equipment Procurement – Burns & McDonnell Task Order 11
  - K. Convention and Visitor's Bureau
9. Appointments and Consultations with Officers
10. Unfinished Business
11. New Business
12. Executive Session
  - A. Attorney Consultation (Exempt Under NDCC 44-04-19.1)
13. Adjourn

### **VIRTUAL MEETING ACCESS INFORMATION**

March 25, 2025, 6:00PM (CT)

Please join my meeting from your computer, tablet, or smartphone.

<https://meet.goto.com/843021053>

You can also dial in using your phone.

Access Code: 843-021-053

United States: [+1 \(571\) 317-3122](tel:+15713173122)

# Memo

**To:** Board of City Commissioners  
**From:** Hercules Cummings, Finance Director  
**Date:** March 25, 2025  
**Re:** Consent Agenda

**2A Reading and Approval of Minutes**

1) Regular Meeting Minutes Dated: March 11, 2025

**2B1 Accounts, Claims and Bills**

Accounts, claims, and bills processed: March 5, 2025 – March 20, 2025

**2B2 Business Licenses**

- a. B & D Rolloff, LLC – New Waste Hauler
- b. Jellison Repair – New Bulk Storage

**2B3 Family Crisis Shelter, Inc – Walk a Mile in Her Shoes – Street Closure Request**



The Family Crisis Shelter has organized a new fundraising event, Walk a Mile in Her Shoes. The event will take place on April 26th from 11:00 a.m. to 4:00 p.m. The walk will start and end at the Raymond Center. Only Davidson Drive from 9th Avenue Northwest to 11th Street will be closed. All necessary department heads have signed off on this permit.

**2B4 CVB - Band Day - Street Closure Request**

Williston CVB is requesting a street closure for Band Day.

This event will take place on Saturday, May 10th, from 9:00am – 5:00pm in Harmon Park and surrounding streets. This request will close the parade route beginning on 18th Street West and University down 2nd Avenue and turning onto 11th Street ending on Main and 11th Street. This also closes portions of 11th Street East for foot traffic safety for the duration of the event. All necessary department heads have signed off on this permit.



**2B5 Williston CVB Chokecherry Festival – Street Closure Request**



This annual event has moved to Davidson Park. The street closure request is for August 9th from 10:00 am to 5:00 pm on August 9th. The closure will be on 9th Avenue Northwest to the alley on Davidson Drive for the event. All necessary department heads have signed off on this permit.

**Recommendation:** Approval of all consent agenda items.

**Attachments:** a2A1, a2B1, a2B2a, a2B3, a2B4, a2B5



**DATE:** March 25<sup>th</sup>, 2025  
**TO:** City Commission  
**FROM:** Lisa Weidner, Staff Planner  
**RE:** Ordinance 1160: Quasi-Institutional

### **PROPOSAL**

Proposal to remove the word “*food*” from the definition of Quasi-Institutional in Section 31 of the City of Williston Zoning Ordinance. A proposal was received by Mr. Jonathon Layne, Founder/Owner of Providence House, for a future Sober Living Facilities in the City of Williston. Unfortunately, the City of Williston Zoning Ordinance does not define a group home or sober-living facility within the permitted-uses; therefore, the staff recommendation was to amend the definition of Quasi-Institutional in Section 31-Definitions of the Zoning Ordinance.

#### **QUASI-INSTITUTIONAL**

A profit or nonprofit boarding home, rest home, or other home for the sheltered care of juvenile or adult persons, which in addition to providing ~~food and~~ shelter to four or more persons unrelated to the proprietor also provides any personal care or service beyond ~~food~~, shelter, and laundry.

Sober Living facilities provide a safe, sober and healthy living environment for individuals in recovering from substance abuse, who are working to become contributing members of society. These facilities will provide shelter, room & board and laundry; however, providing communal meals and food are not required by facility staff. This definition change will not preclude any existing Quasi-Institutional land use providing food; the intent is to include group homes that may not provide meals and/or food to residents.

### **DEVELOPMENT REVIEW COMMITTEE:**

Development Review Committee was held on January 28th, 2024. In attendance were:

**Planning and Zoning Commissioners:** Lucas Gjovig, Bill Glen, Cyndy Aafedt

**Staff:** Kent Jarcik, Mark Schneider, Lisa Weidner, Kelly Soto, Jordon Evert, Sean Cavanaugh

The main points at the Development Review Committee meeting included:

1. Removing the word “*food*” would not affect the existing Special Permitted Uses (SPU) for Quasi-Institutional facilities, including, Opportunity Foundation, Eckert Foundation and Wilmac.
2. It was suggested by staff to amend the definition of Quasi-Institutional instead of creating a new land use classification for group-home or sober living facility for the proposal presented by Mr. Jonathon Layne, Founder/Owner of Providence House.

**The Development Review Committee Recommendation:** To approve Ordinance 1160 for the request to remove the word “*food*” from the definition of Quasi-Institutional in Section 31 of the City of Williston Zoning Ordinance.



**PLANNING & ZONING COMMISSION:**

A Planning & Zoning Commission meeting was held on March 17<sup>th</sup>, 2025. In attendance were:

**Planning and Zoning Commissioners:** Lucas Gjovig, Bill Glen, Cyndy Aafedt, Bob Horab, Robert Eynon, Donna Hansen, Kassie Gordon, Alex Johnson

**The P&Z Commission Recommendation:** To approve Ordinance 1160 for the request to remove the word "*food*" from the definition of Quasi-Institutional in Section 31 of the City of Williston Zoning Ordinance.

**ATTACHMENTS:**

1. Ordinance 1160

## ORDINANCE NO. 1160

AN ORDINANCE AMENDING SECTION 31 – DEFINITIONS, OF THE CITY OF WILLISTON ZONING ORDINANCE FOR QUASI-INSTITUTIONAL AND RESUEST TO REMOVE THE WORD, “FOOD” FROM THE DEFINITION.

Be it ordained by the board of City Commissioners of the City of Williston, North Dakota:  
The following Section(s) is hereby amended to read:

### SECTION 31 DEFINITIONS

[Ord. No. 613, Ord. No. 639, Ord. No. 662, Ord. No. 703, Ord. No. 716, Ord. No. 728, Ord. No. 749, Ord. No. 809, Ord. No. 811, Ord. No. 864, Ord. No. 867, Ord. No. 884, Ord. No. 887, Ord. No. 912, Ord. No. 922, Ord. No. 936, Ord. No. 959, Ord. No. 960, Ord. No. 962, Ord. No. 963, Ord. No. 964, Ord. No. 968, Ord. No. 985-B, Ord. No. 1000, Ord. No. 1009, Ord. No. 1032, Ord. No. 1092]

The following words, terms, and phrases are hereby defined and shall be interpreted in the same fashion throughout this ordinance. The word "including" shall mean including but not limited to. The word "shall" is always mandatory. The word "may" is permissive. Words used in the present tense shall include the future tense and words used in the singular shall include the plural. Terms not herein defined shall have the meaning customarily assigned to them, first by the definition found in the State Building Code and thereafter as found in Webster's Dictionary.

#### QUASI-INSTITUTIONAL

A profit or nonprofit boarding home, rest home, or other home for the sheltered care of juvenile or adult persons, which in addition to providing ~~food and~~ shelter to four or more persons unrelated to the proprietor also provides any personal care or service beyond ~~food~~, shelter, and laundry.

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners, the following Commissioners voted

“AYE”: \_\_\_\_\_, and the following

Commissioners voted “NAY”: \_\_\_\_\_.

Absent and not voting: \_\_\_\_\_.

WHEREUPON, the motion was passed and the Ordinance declared adopted this \_\_\_\_\_ day

Of \_\_\_\_\_, 20\_\_.

ATTEST:

APPROVED:

\_\_\_\_\_

\_\_\_\_\_

Hercules Cummings,  
City Finance Director

Howard Klug,  
President of Commission

PASSED FIRST READING: \_\_\_\_\_ PASSED SECOND READING: \_\_\_\_\_

PUBLISHED:

ADOPTED THIS \_\_\_\_\_ Day of \_\_\_\_\_, 20



**DATE:** March 25, 2025  
**TO:** City Commission  
**FROM:** Scott Harmstead, AICP - SRF Consulting Group, Inc.  
**RE:** Public Hearing- Fighting Pike Data Center (Multiple Requested Entitlements)

**3.B. Proposed subdivision plat to create Northstar Center Subdivision Rearrangement #1, a rearrangement of Northstar Center Subdivision, Section 23, T155N, R101W; an amendment of the Future Land Use designation to Commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1; an amendment to the Transportation Plan, including the revisions to the 2040 Functional Classification Network; and an amendment to the Planned Unit Development for Northstar Center Subdivision Rearrangement #1; and the rezoning of Lot 1 to A, Agricultural District; and the rezoning of Lots 2 and 3 to C-2, General Commercial District for the Northstar Center Subdivision Rearrangement #1- Critical Data House, LLC (CDH)**

Critical Data Housing, LLC has submitted a request for a Preliminary Plat, Comprehensive Plan Amendment, Transportation Plan Amendment, and Planned Unit Development (PUD) Amendment. The properties are located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street W. The Planning and Zoning Commission heard this item in a public hearing at their regular meeting of March 17, 2025.

#### PRELIMINARY PLAT

The proposal dissolves all lots and blocks in the current Northstar Center Subdivision. The plat is named Northstar Center Subdivision Rearrangement #1 and includes one block with three lots. Lot 1 represents the area north of Camp Creek that is not currently planned for development; Lot 2 represents the area intended for the data center development south of Camp Creek; and Lot 3 is an existing 25'x25' tract owned by Missouri Valley Communications (MVC), which has been relocated to the southwest corner of the area so as not to conflict with easements and proposed buildings. The applicant has been in contact with MVC about this lot, with the exact location to be finalized with the final plat. The plat shows various utility easements to remain and new municipal access and utility easements to facilitate future city utilities and access to the west of the area and north to Lot 2.

#### PLAN AMENDMENTS

The planned future land use, part of the Comprehensive Plan, is arranged to accommodate the now defunct Northstar Center development. Proposed future land use includes the Commercial land use category on Lot 1 and Lot 2 to facilitate the proposal and future commercial development. The existing Transportation Plan indicates a future north/south arterial roadway through the area, and a future east/west collector roadway at Energy Street. As the proposal intends for a large, highly secure campus, these future roadway alignments have been removed. Future alignments around the site are intended to remain, including 84<sup>th</sup> Street W extending to the west to connect to the future alignment of 16<sup>th</sup> Avenue. A change proposed to the future 84<sup>th</sup> Street W alignment west of the proposal is to curve the alignment north to avoid challenging topography and to meet the 16<sup>th</sup> Avenue alignment further north than where section lines intersect.

#### PLANNED UNIT DEVELOPMENT (PUD)

The proposal will void and replace the current PUD for the Northstar Center development. Underlying base zoning districts will include C-2, General Commercial for Lot 2 (data center) and A, Agricultural for Lot 1 where no development is currently planned.

#### NOISE IMPACTS

The applicant has provided a noise impact assessment of the proposal. In coordination with the City, SRF Consulting Group has brought on a third-party noise impact consultant (HDR) to review the applicant's noise impact assessment, and the proposed conditions related to noise impacts. HDR has reviewed both items and both have been adjusted based on HDR review. Conditions have been applied to the proposal to ensure noise limits are maintained during ongoing operation of the data center—to ensure noise mitigation is applied before it is operational and to verify noise is within limits one year after it is in operation.

#### LANDSCAPING

The applicant has submitted a landscape plan that identifies different zones that will have different landscaping treatments. A key goal is to ensure a high level of aesthetics from US 2. The Planning and Zoning Commission added in their motion for the PUD for City staff/SRF to work with the applicant and John Laqua (representing the Isabelle M. Hughes Inheritance Trust – a property owner to the west of the proposal) to increase the landscaping requirement on the west side of the proposal. City Planning staff, SRF Consulting, and representatives of the applicant met with John Laqua on March 19, 2025, to discuss this condition. It was determined that Zone 1 in the Landscaping Plan be brought further south into the southwest corner of Lot 2, buffering the southwest edge of the data center site. In addition to requiring conifer trees at 9 trees per acre, the standard for Zone 1 will require that plantings be placed to maximize the effectiveness of screening the data center site.

#### **Recommendation: The Planning & Zoning Commission recommended:**

1. To approve the Preliminary Plat for Northstar Rearrangement #1 as conditioned including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street W.
2. To approve the amendment of the Future Land Use designation to Commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1 including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street W.
3. To approve the Transportation Plan amendments, including the revisions to the 2040 Functional Classification Network including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street W.
4. To approve the Planned Unit Development for Northstar Center Rearrangement #1; the rezoning of Lot 1 to A, Agricultural District; and the rezoning of Lots 2 and 3 to C-2, General Commercial District as conditioned including recordation of the final plat for the properties located southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84th Street W. This includes the amendment to the landscaping standards as requested by the Planning and Zoning Commission and detailed in this memorandum.

**Attachments:**

- CDH Fact Sheet and Attachments
- Preliminary Plat
- Revised Landscape Plan- P & Z condition

NORTHSTAR CENTER SUBDIVISION #1  
A REARRANGMENT OF NORTHSTAR CENTER SUBDIVISION,  
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

WILLIAMS COUNTY AUDITOR'S CERTIFICATE OF TAXES:

I, Beth M. Innis, Auditor of Williams County, do hereby certify that correct taxes, delinquent taxes, and delinquent special assessments or installments of special assessments or tax estimates for the property described on the attached instrument are unpaid in the amount of \$\_\_\_\_\_ plus penalty and interest.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Beth M. Innis  
Williams County Auditor

WILLIAMS COUNTY RECORDER'S CERTIFICATE OF RECORDING:

This plat was filed and recorded in the office of the Williams County Recorder in the State of North Dakota at \_\_\_\_\_M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and was recorded as Document Number \_\_\_\_\_.

\_\_\_\_\_  
Patti Ogurchak  
Williams County Recorder

PLANNING AND ZONING COMMISSION APPROVAL:

The subdivision of land shown hereon has been approved by the Planning and Zoning Commission of the City of Williston on \_\_\_\_\_, 20\_\_\_\_, in accordance with the laws of the state of North Dakota, ordinances of the City of Williston, and Planning and Zoning Commission.

\_\_\_\_\_  
Lucas Gjovig, Chairman  
Planning and Zoning Commission

\_\_\_\_\_  
Date

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Lucas Gjovig, Chairman, known to me or proven to me to be the person described herein, and who executed the within plat, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary, State of North Dakota

CITY COMMISSION APPROVAL

By virtue of Ordinance No. 1082, passed June 26, 2018, the City Commission of the City of Williston, North Dakota has approved this division of land shown hereon; has accepted the dedication of all streets, alleys and other public ways shown hereon lying within the corporate limits of the city of Williston; has accepted the dedication of all parks and other areas shown hereon, except those public areas specifically dedicated to other public bodies pertaining to the Northstar Center Subdivision #1, City of Williston, Williams County, North Dakota, according to the recorded plat thereof.

CITY OF WILLISTON

\_\_\_\_\_  
Howard Klug  
President of the Board of City Commission

\_\_\_\_\_  
Hercules Cummings,  
Finance Director

STATE OF NORTH DAKOTA

COUNTY OF WILLIAMS

BE IT KNOWN THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME PERSONALLY APPEARED HOWARD KLUG, PRESIDENT OF CITY COMMISSION AND, HERCULES CUMMINGS, FINANCE DIRECTOR, AS ACKNOWLEDGED THE EXECUTION AND SIGNING ABOVE.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF NORTH DAKOTA

OWNER CERTIFICATION:

I, the undersigned, being a representative of YAM Capital, an Arizona Private Company, do hereby voluntarily consent to the execution of said plat, and do dedicate the road easements, alleys, parks, and public grounds as shown thereon, including all sewers, culverts, bridges, water distribution lines, and sidewalk grounds whether such improvements are shown or not, to the public use forever.

I agree not to vacate any portion of this plat without the consent of the Williston City Commission, We also hereby dedicate easements, to run with the land, for water, sewer, gas, electric, telephone or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements" whether shown or existing.

\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(TITLE)  
YAM Capital

STATE OF \_\_\_\_\_  
; ss,  
COUNTY OF \_\_\_\_\_

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, known to me or proven to me to be the person described herein, and who executed the within plat, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary

OWNER CERTIFICATION:

I, the undersigned, being a representative of Citation Northstar Center, LLC, an Wyoming Limited Liability Company and Fractional Owners Critical Data House, LLC a Idaho Limited Liability Company, do hereby voluntarily consent to the execution of said plat, and do dedicate the road easements, alleys, parks, and public grounds as shown thereon, including all sewers, culverts, bridges, water distribution lines, and sidewalk grounds whether such improvements are shown or not, to the public use forever.

I agree not to vacate any portion of this plat without the consent of the Williston City Commission, We also hereby dedicate easements, to run with the land, for water, sewer, gas, electric, telephone or other public utility lines or services under, on, or over those certain strips of land designated hereon as "Utility Easements" whether shown or existing.

\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(TITLE)

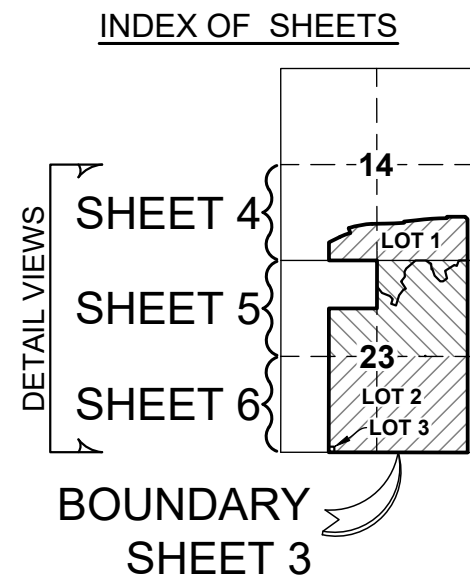
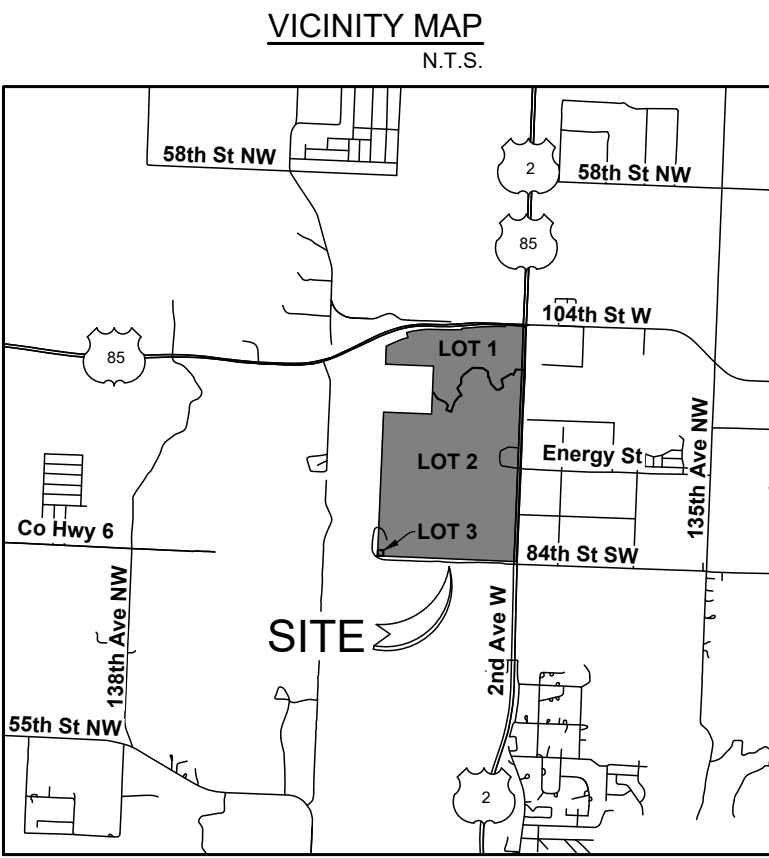
\_\_\_\_\_  
(NAME)  
\_\_\_\_\_  
(TITLE)

YAM Capital, LLC  
Critical Data House, LLC

STATE OF \_\_\_\_\_  
; ss,  
COUNTY OF \_\_\_\_\_

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, known to me or proven to me to be the person described herein, and who executed the within plat, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary



BASIS OF BEARING:

Bearings are based on "Grid North", in accordance with the State Plane Coordinates for the State of North Dakota, from the North American Datum of 1983, (NAD83), vertical datum: NAVD 88, International Feet. Onsite horizontal control was established through GPS observations. Combined scale factor=1.0002521294 to go from Grid to Ground.

PURPOSE OF SURVEY:

The purpose of this survey is to combine all lots and blocks previously platted within the Northstar Center Subdivision, Document Number 805628 within the City of Williston, Williams County, North Dakota

OLD BOUNDARY DESCRIPTION:

Block 1, Lots 1 through 12, inclusive; Block 2, Lots 1 through 16, inclusive; Block 3, Lots 1 through 3, inclusive; Block 4, Lots 1 through 4, inclusive; Block 5, Lots 1 through 3, inclusive; Block 6, Lots 1 through 29, inclusive; Block 7, Lots 1 through 11, inclusive; Block 8, Lots 1 through 12, inclusive; Block 9, Lots 1 through 9, inclusive; Block 10, Lots 1 through 32, inclusive; Block 11, Lot 1; Block 12, Lot 1; Block 13, Lots 1 through 38, inclusive; Block 14, Lots 1 through 14, inclusive; Block 15, Lots 1 through 11, inclusive; Block 16, Lots 1 through 21, inclusive; Block 17, Lots 1 through 23, inclusive; Block 18, Lots 1 through 3, inclusive; Block 19, Lots 1 through 23, inclusive; Block 20, Lots 1 through 16, inclusive; Block 21, Lots 1 through 11, inclusive; and Block 22, Lots 1 through 16, inclusive; of the "Northstar Center Subdivision", Lying within Sections 14 and 23, Township 155 North, range 101 west, 5th Principal Meridian, City of Williston, County of Williams, State of North Dakota.

NEW BOUNDARY DESCRIPTION:

Being Part of the South 1/2 of the Southeast 1/4, and Part of the Southeast 1/4 of the Southwest 1/4, and being all the lands South of 104th Street West, Section 14; and Being Part of the East 1/2, and all of the East 1/2 of the Southwest 1/4, and all of the the Southeast 1/4 of the Northwest 1/4 Section 23, all lands listed above being in Township 155 North, Range 101 West of the 5th Principal Meridian, City of Williston, Williams County, North Dakota

Excepting a Tract of land as conveyed to Missouri Valley Communications, Inc is Document Number 607764 and being a tract of land in the SE1/4 NE1/4 of Section 23 in Township 155 North, Range 101 West, being further described as Follows: The South 25 feet of the West 25 feet of said SE1/4 NE1/4 of Section 23, Township 155 North, Range 101 West, with an easement for right of ingress and egress to said tract over and across the North 15 feet of the entire NE1/4 SE1/4 of said Section.

To now be known as Northstar Center Subdivision #1, Block 23, Lots 1, 2 & 3 and containing 510.91 acres more or less.

CERTIFICATE OF SURVEYOR:

I, Thomas Eugene Osen, a Registered Land Surveyor in the State of North Dakota, do hereby certify that this plat was made from an actual survey done by me, or under my direction on June 20, 2024, and that to the best of my knowledge said survey is a true and correct representation of the survey, that all distances are correct and monuments are placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

\_\_\_\_\_  
Thomas Eugene Osen, PLS  
North Dakota Registration No. 7965

\_\_\_\_\_  
Date

STATE OF \_\_\_\_\_  
; ss,  
COUNTY OF \_\_\_\_\_

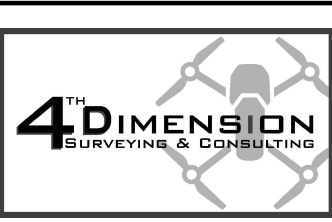
Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Thomas E. Osen, and acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary, State of North Dakota



REFERENCE RECORDS:

- Commitment for Title, by Old Republic National Title Insurance Company, Commitment Number: KP2440072, Dated October 1, 2024
- Plat of Record, Northstar Center Subdivision, Document Number 805628



14945 COCHISE STREET  
WILLISTON, ND 58801

www.4dsc.us  
(701) 580-5267

|              |                     |
|--------------|---------------------|
| Drawn By:    | TBL LLC             |
| Reviewed By: | RB                  |
| Date:        | February 25, 2025   |
| Project No.: | 4D24171             |
| File Name:   | Fighting Pike 2.dwg |

NORTHSTAR CENTER SUBDIVISION #1  
A REARRANGMENT OF NORTHSTAR CENTER SUBDIVISION,  
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

SCHEDULE B PART II TITLE EXCEPTIONS - SURVEYORS COMMENTS:

The below exceptions with amended Surveyor's Comments are based on Commitment for Title Insurance as prepared by Old Republic National Title Insurance Company, Commitment Number: KP2440072 and Dated October 1, 2024 at 05'00 P.M., covering the hereon described real property, situated in Williams County, North Dakota.

Items 1-5 are boilerplate in nature and have therefore been omitted from this list.

6. Right of Way Plat filed by the North Dakota Department of Transportation on February 27, 2014, at 2:30 p.m., as Document No. 780723, indicating additional highway right of way located in the South Half of the Southeast Quarter of Section 14, as shown on the Plat.  
(Affects subject property and is Hwy 85 Bypass, plotted as shown.)

7. Conveyance of a strip of land 40 feet wide along the East line of the Southeast Quarter of the Southeast Quarter of Section 14, to Williams County, North Dakota for highway purposes, dated December 2, 1929, and recorded December 3, 1929 at 11:01 a.m., in Book 76 Deeds, page 108, as Document No. 190501.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

8. Conveyance of a strip of land 40 feet wide along the East line of the Northeast Quarter of Section 23, to Williams County, North Dakota for highway purposes, dated December 2, 1929, and recorded December 3, 1929 at 11:03 a.m., in Book 76 Deeds, page 110, as Document No. 190503.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

9. Easement to Fidelity Gas Co., dated December 4, 1947, and recorded November 17, 1947 at 9:02 a.m., in Book 3 Misc., page 373, as Document No. 232559.  
(Affects subject parcel, document does not provide a width of easement, transmission line is plotted as shown.)

10. Receipt in the matter of the Condemnation of the East 150 feet of the South Half of the Northeast Quarter of Section 23, by the State of North Dakota for highway purposes filed May 5, 1955, at 2:42 p.m., as Document No. 273608.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

11. Quit Claim Deed to the State of North Dakota for benefit of the State Highway Department relinquishing the right of ingress and egress from the South Half of the Northeast Quarter of Section 23 onto U.S. Highway No. 2, over and across a line 30 feet long centered at Station 393+14 on the westerly right of way as shown on the Plat, dated September 6, 1955 and recorded September 14, 1955 at 4:00 p.m., in Book 63 Misc., page 71, as Document No. 275174.  
(Supceded by item #13, filed in Document #275179)

12. Quit Claim Deed to the State of North Dakota for benefit of the State Highway Department relinquishing the right of ingress and egress from the South Half of the Northeast Quarter of Section 23 onto U.S. Highway No. 2, over and across a line 30 feet long centered at Station 386+40 on the westerly right of way as shown on the Plat, dated September 6, 1955 and recorded September 14, 1955 at 4:03 p.m., in Book 63 Misc., page 77 as Document No. 275177.  
(Supceded by item #14, filed in Document #275180)

13. Easement for access purposes from the State of North Dakota for benefit of the State Highway Department, dated September 2, 1955, and recorded September 14, 1955 at 4:05 p.m., in Book 63 Misc., page 80, as Document No. 275179. Granting an easement for ingress and egress from the South Half of the Northeast Quarter of Section 23 onto U.S. Highway No. 2, over and across a line 30 feet long centered at Station 389+00 on the westerly right of way as shown on the Plat.  
(Affects subject property, plotted as described.)

14. Easement for access purposes State of North Dakota for benefit of the State Highway Department, dated September 2, 1955, recorded September 14, 1955 at 4:06 p.m., in Book 63, Misc., page 81, as Document No. 275180. This document grants an easement for ingress and egress from the South Half of the Northeast Quarter of Section 23 onto U.S. Highway No. 2, over and across a line 30 feet long centered at Station 392+14 on the westerly right of way as shown on the Plat.  
(Affects subject property, plotted as described.)

15. Conveyance of a strip of land 40 feet wide along the East line of the Southeast Quarter of Section 23 to Williams County, North Dakota for highway purposes, dated October 5, 1929, and recorded November 8, 1929 at 1:39 p.m., in Book 76 Deeds, page 19, as Document No. 190246.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

16. Electric Line Easement to Fidelity Gas Co., dated November 17, 1947, and recorded December 19, 1947 at 9:01 a.m., in Book 3 Misc., page 394, as Document No. 232720. This Easement was assigned to Montana Dakota Utilities Co., by a Deed and Assignment, dated December 18, 1948, and recorded March 2, 1949, at 3:40 p.m., as Document No. 235724.  
(Affects subject property, does not provide necessary information to plot. Existing utilities found within public right-of-way of 136th Ave. NW & US 85 Bypass.)

17. Receipt in the matter of the Condemnation of the East 150 feet of the South Half of the Southeast Quarter of Section 14 for highway purposes, dated May 3, 1955 and recorded May 5, 1955 at 2:40 p.m. in Book 119 Deeds, page 245 as Document No. 273606.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

18. Receipt in the matter of the Condemnation of the East 150 feet of the Northeast Quarter of the Northeast Quarter of Section 23 for highway purposes, dated May 3, 1955 and recorded May 5, 1955 at 2:40 p.m. in Book 119 Deeds, page 246 as Document No. 273607.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

19. Receipt in the matter of the Condemnation of the East 150 feet of the Southeast Quarter of Section 23 for highway purposes dated May 3, 1955 and recorded May 5, 1955 at 2:40 p.m. in Book 119 Deeds, page 248 as Document No. 273609.  
(Affects subject parcel, lands described now lie within 136th Ave. NW right-of-way.)

20. Receipt in the matter of Condemnation of parcels 9-1, 9-6 and 9-7, located in the Southeast Quarter of Section 14, as defined therein, for highway purposes, recorded May 6, 2014, at 9:51 a.m., as Document No. 785036.  
(Affects subject parcel, lands described now lie within US 85 Bypass right-of-way.)

21. Receipt in the matter of Condemnation of parcels 9-2 and 9-3, located in the Southeast Quarter of Section 14, as defined therein, for highway purposes, recorded May 6, 2014, at 9:51 a.m., as Document No. 785038.  
(Affects subject parcel, lands described now lie within US 85 Bypass right-of-way.)

22. Easement to Northwestern Bell Telephone Company, dated April 17, 1969 and recorded September 30, 1969 at 8:45 a.m., in Book 157 Misc., page 223 as Document No. 343387.  
(Affects subject parcel, existing utilities and easement appear to lie within 136th Ave. NW right-of-way.)

23. Right of Way Easement to Williams Rural Water Association dated July 1, 1977 and recorded July 11, 1977 at 4:21 p.m., in Book 208 Misc., page 604 as Document No. 380765.  
(Affects subject property and is plotted as described.)

24. Right of Way Easement to Williams Rural Water Association dated July 1, 1977 and recorded July 11, 1977 at 4:21 p.m., in Book 208 Misc., page 605 as Document No. 380766.  
(Affects subject property and is plotted as described.)

25. Right of Way Easement to Williams Rural Water Association dated July 1, 1977 and recorded July 11, 1977 at 4:21 p.m., in Book 208 Misc., page 606 as Document No. 380767.  
(Affects subject property and is plotted as described.)

26. Pipeline Easement to Montana-Dakota Utilities Co. dated September 7, 1978 and recorded October 20, 1978 at 1:36 p.m., in Book 233 Misc., page 295 as Document No. 395365.  
(Found in Document #395635, Affects subject property, plotted as shown on Northstar Center Subdivision Plat.)

27. Easement to Northwestern Bell Telephone Company dated October 10, 1979 and recorded August 19, 1980 at 3:38 p.m. in Book 269 Misc. page 301 as Document No. 417408.  
(Affects subject property, existing utilities lie within US 85 Bypass right-of-way.)

28. Easement to Williams Electric Cooperative, Inc. dated March 27, 1980 and recorded February 17, 1981 at 11:35 a.m., in Book 278 Misc., page 228 as Document No. 422675.  
(Affects subject property, plotted as described.)

29. All of the mineral estate underlying the premises has been reserved unto prior Grantor in Deed dated February 8, 1990 and recorded May 24, 1990 at 4:16 p.m., as Document No. 531473.  
(This is not a survey matter, nothing to plot.)

30. Easement to Williams County Highway Department dated June 12, 1967 and recorded September 27, 2000 at 10:08 a.m., as Document No. 593053. This roadway easement is located 60 feet south of and adjacent to the centerline of the road as it existed along the north property line of the South Half of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 14.  
(Affects subject parcel, lands described now lie within US 85 Bypass right-of-way.)

31. Special Warranty Deed by Qwest Corporation (successor in interest to Northwestern Bell Telephone Company and US West Communications, Inc.) to Citizens Telecommunications Company of North Dakota dated October 31, 2000 and recorded November 28, 2000 at 9:40 a.m., as Document No. 593897. This Deed conveys a tract of land lying in the Southeast Quarter of the Northeast Quarter of Section 23, being described as the South 25 feet of the West 25 feet of the Southeast Quarter of the Northeast Quarter of Section 23, together with an easement over and across the North 15 feet of the entire Northeast Quarter of the Southeast Quarter of Section 23 for ingress and egress. Also please note that there is an Assignment and Assumption of Recorded easements from Citizens Telecommunications Company of North Dakota to Missouri Valley Communications, Inc. recorded August 19, 2003 at 9:39 a.m., as Document No. 607761, and an Assignment and Assumption of Recorded easements from Citizens Telecommunications Company of North Dakota to Missouri Valley Communications, Inc. recorded August 19, 2003 at 9:43 a.m., as Document No. 607762. There is also a Guarantor's Mortgage and Security Agreement executed by Missouri Valley Communications, Inc. to Rural Telephone Finance Cooperative dated February 27, 2013 and given to secure the payment of \$8,333,333.00. This Guarantor's Mortgage and Security Agreement was recorded March 12, 2013 at 8:11 a.m., as Document No. 756155 and covers this 25 foot by 25 foot parcel. Please note we cannot find any evidence in the file where Northwestern Bell Telephone Company obtained title to this parcel, but notice should be made of this interest.  
(25'x25' Tract ownership superceded by Document #607764, affects subject parcel, plotted as described.)

32. Right of Way Easement to Williams Rural Water Association dated October 29, 2003 and recorded March 17, 2005 at 10:43 a.m., as Document No. 622101.  
(Affects subject property, plotted over existing utilities.)

33. Affidavit of Kenneth I. Heen dated July 13, 2010 and recorded July 23, 1010 at 10:24 a.m., as Document No. 692842, granting approval for a Reserve Pit to be built and used for drilling the Smith Farm 23-14 #1-H by Brigham Oil and Gas, L.P., located in the Southwest Quarter of the Southeast Quarter of Section 23.  
(Supceded by item #41)

34. Pipeline Right of Way to Hiland Operating, LLC dated February 11, 2011 and recorded February 18, 2011 at 10:48 a.m., as Document No. 705976.  
(Affects subject property, plotted as described.)

35. Pipeline Right of Way to Hiland Operating, LLC dated February 11, 2011 and recorded February 25, 2011 at 11:01 a.m., as Document No. 706307.  
(Affects subject property, plotted as described.)

36. Easement to Mountrail-Williams Electric Cooperative dated February 11, 2011 and recorded June 3, 2011 at 9:47 a.m., as Document No. 712395.  
(Affects subject property, plotted as described.)

37. Memorandum of Right of Way Agreement between Bear Paw Energy, LLC and Kenneth I. Heen and Dianne M. Heen, husband and wife, dated June 16, 2011 and recorded July 28, 2011 at 1:46 p.m., as Document No. 715875.  
(Affects subject property, plotted as described.)

38. Memorandum of Right of Way Agreement between Bear Paw Energy, LLC and Kenneth I. Heen and Dianne M. Heen, husband and wife, dated April 20, 2011 and recorded July 28, 2011 at 2:02 p.m., as Document No. 715892.  
(Affects subject property, plotted as described.)

39. Conveyance to the State of North Dakota for the benefit of North Dakota Department of Transportation dated March 27, 2012 and recorded April 12, 2012 at 3:22 p.m., as Document No. 731915. This Deed conveys a 0.09 acre parcel as described therein for highway purposes.  
(Affects subject parcel, lands described now lie within US 85 Bypass right-of-way.)

40. Easement to Mountrail-Williams Electric Cooperative dated April 4, 2012 and recorded April 23, 2012 at 9:44 a.m., as Document No. 732694.  
(Affects subject property, plotted as described.)

41. Easement to Mountrail-Williams Electric Cooperative dated April 4, 2012 and recorded April 23, 2012 at 9:44 a.m., as Document No. 732695  
(Affects subject property, plotted as described.)

42. The terms conditions, and provisions of the Hazardous Substances Remediation and Indemnification Agreement dated June 4, 2014 and recorded June 6, 2014 at 12:29 p.m., as Document No. 787041.  
(Affects subject property but is not a survey matter.)

43. Dedications, Public Spaces, and Easements as set forth in the Plat of Northstar Center Subdivision, as recorded May 1, 2015 as Document No. 805628, situated in the County of Williams and the State North Dakota.  
(Affects subject property, all items within recorded document are shown.)

44. Declaration of Covenants and Restrictions for Northstar Center, Williston, North Dakota, recorded November 13, 2015 as Document Nos. 815340-815358.  
(Affects subject property but is not a survey matter.)

45. Declaration of Covenants, Conditions, Restrictions and Easements for Northstar Community dated February 20, 2015 and recorded May 1, 2015 at 2:25 p.m., as Document No. 805632 and Corrective Declaration of Covenants and Restrictions recorded December 30, 2015 as Document No. 817349 and Document No. 817350 which were recorded to clarify the legal descriptions.  
(Affects subject property but is not a survey matter.)

46. Notice of Abandoned Reserve Pit giving notice an oil and gas well was drilled on the SW1/4SE1/4 of Section 23, Township 155 North, Range 101 West, recorded May 1, 2015 as Document No. 805627.  
(Affects subject property, noting to plot. Removes item #28.)

47. Water Pipeline Easement and Right of Way Agreement to RWS Holdings, LLC dated July 19, 2017 and recorded August 20, 2018 at 3:36 p.m. as Document No. 851248  
(Affects subject property, but is missing Exhibit "A" in order to plot. Unable to plot.)

48. The terms, conditions and provisions of the Developer's Agreement with the City of Williston, North Dakota dated April 20, 2015 and recorded May 1, 2015 at 2:25 p.m., as Document No. 805629.  
(Affects subject property but is not a survey matter.)

49. The terms, conditions and provisions of the General Performance Lien dated April 20, 2015 and recorded May 1, 2015 at 2:25 p.m., as Document No. 805630.  
(Affects subject property but is not a survey matter.)

50. The terms, conditions and provisions of the Non-protest Agreement concerning future improvements to be assessed to the property dated February 6, 2015 and recorded May 1, 2015 at 2:25 p.m., as Document No. 805631.  
(Affects subject property but is not a survey matter.)

51. Montana-Dakota Utilities Co. Pipeline and Regulator Station Easements by Owner, Northstar Center Subdivision, dated July 22, 2015 and recorded November 17, 2015 at 9:28 A.M. as Document No. 815509.  
(Affects subject and is plotted as described.)

52. Montana-Dakota Utilities Co. Pipeline Easement by Owner, Northstar Center Subdivision, dated July 20, 2015 and recorded November 17, 2015 at 9:28 A.M. as Document No. 815508.  
(Affects subject and is plotted as described.)

53. On the Northstar Center Subdivision Plat recorded as Document 805628, the following lots are dedicated as Parks: Lot 3-Block 1 (Park)- 32.918 Gross 31.503 Net Acres, Lot 4-Block 1 (Park Detention)- 3.442 Acres, Lot 5-Block 1 (Park Detention)- 8.0881 Acres, Lot 6-Block 1 (Park)- 3.948 Acres, Lot 10-Block 2 (Park)- 14.950 Acres, Lot 2-Block 6 (Park)- 14.067 Acres, Lot 1-Block 13 (Park)- 7.654 Acres, Lot 12-Block 13 (Park)- 9.509 Acres, Lot 2-Block 16 (Park)- 2.004 Acres, Lot 18-Block 16 (Park Detention)- 1.546 Acres, Lot 21-Block 16 (Park)- 2.231 Acres, Lot 1-Block 17 (Park)- 1.203 Acres, Lot 1-Block 18 (Park)- 12546 SF, and Lot 1-Block 19 (Park)- 1.206 Acre. The above described lots are to be excluded from the record title owners' conveyance, or in the alternative, the plat should be vacated.  
(Affects subject and all items vacated are shown on Sheet 2 and have been removed for clarity on Sheet 3.)

| Drainage Easement 'A' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L11                   | 117.55'  | S4°23'50"E  |
| L12                   | 170.62'  | S46°21'11"E |
| L13                   | 110.90'  | N82°49'22"E |
| L14                   | 148.77'  | S62°30'39"E |
| L15                   | 134.53'  | N43°21'48"E |
| L16                   | 147.04'  | S71°22'00"E |
| L17                   | 72.54'   | S29°45'46"E |
| L18                   | 84.91'   | S58°00'47"E |
| L19                   | 137.71'  | N78°41'53"E |
| L20                   | 47.40'   | S71°44'58"E |
| L21                   | 45.87'   | N78°52'54"E |
| L22                   | 85.65'   | S79°55'04"E |
| L23                   | 106.48'  | S21°39'57"W |

| Drainage Easement 'A' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L24                   | 179.96'  | S14°52'49"E |
| L25                   | 152.88'  | S35°59'25"E |
| L26                   | 67.68'   | S73°23'39"E |
| L27                   | 219.42'  | S19°12'11"E |
| L28                   | 92.04'   | N83°35'45"E |
| L29                   | 119.36'  | S11°45'29"E |
| L30                   | 137.27'  | S34°39'37"E |
| L31                   | 62.58'   | S0°47'35"W  |
| L32                   | 124.47'  | S84°29'19"W |
| L33                   | 63.63'   | S6°09'18"E  |
| L34                   | 176.91'  | S78°09'53"E |
| L35                   | 89.86'   | S81°42'58"E |

| Drainage Easement 'B' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L36                   | 207.42'  | S69°06'56"E |
| L37                   | 189.73'  | S24°33'46"E |
| L38                   | 93.06'   | S7°26'34"W  |
| L39                   | 178.23'  | S40°47'21"W |
| L40                   | 79.23'   | S17°27'14"W |
| L41                   | 141.25'  | S17°12'00"E |
| L42                   | 101.87'  | S52°08'16"E |
| L43                   | 338.99'  | S1°26'44"W  |
| L44                   | 94.81'   | S18°44'22"W |
| L45                   | 190.17'  | S51°16'27"E |

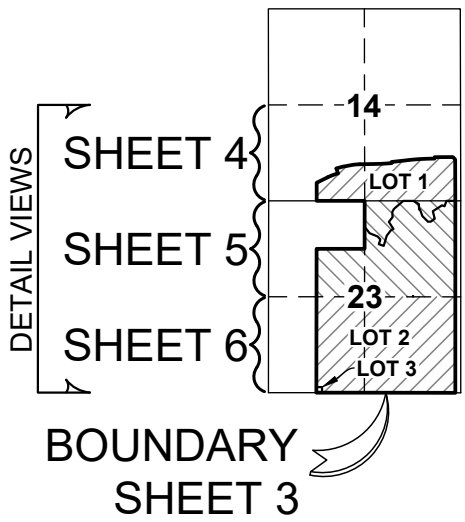
| Montana-Dakota Utility Easement |          |             |
|---------------------------------|----------|-------------|
| Line #                          | Distance | Bearing     |
| L82                             | 47.77'   | N2°20'28"E  |
| L83                             | 94.21'   | S79°53'42"E |
| L84                             | 29.74'   | S2°25'33"W  |
| L85                             | 68.85'   | S87°39'32"E |

| Drainage Easement 'C' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L46                   | 53.04'   | N54°51'34"E |

| Drainage Easement 'D' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L47                   | 151.40'  | N67°15'42"E |
| L48                   | 121.41'  | N78°06'44"E |
| L49                   | 134.35'  | N31°51'29"E |
| L50                   | 164.08'  | S75°37'07"E |
| L51                   | 102.17'  | N68°57'45"E |
| L52                   | 182.72'  | N2°18'03"E  |
| L53                   | 85.12'   | N25°49'44"W |
| L54                   | 137.13'  | N71°59'45"W |
| L55                   | 31.36'   | N8°58'21"E  |
| L56                   | 147.67'  | N40°20'35"E |
| L57                   | 106.72'  | N30°24'45"W |
| L58                   | 122.23'  | N65°59'55"E |
| L59                   | 154.63'  | N12°47'27"W |
| L60                   | 50.77'   | N47°36'09"E |
| L61                   | 183.10'  | N85°39'36"E |
| L62                   | 62.21'   | S58°23'33"E |

| Drainage Easement 'D' |          |             |
|-----------------------|----------|-------------|
| Line #                | Distance | Bearing     |
| L63                   | 135.88'  | S30°15'23"E |
| L64                   | 68.59'   | S86°35'37"E |
| L65                   | 58.29'   | N20°27'44"E |
| L66                   | 133.93'  | N17°10'01"W |
| L67                   | 42.84'   | N68°48'21"E |
| L68                   | 170.96'  | S75°00'38"E |
| L69                   | 290.80'  | S84°05'16"E |
| L70                   | 183.82'  | N24°37'59"E |
| L71                   | 42.08'   | N68°24'17"E |
| L72                   | 91.78'   | S70°16'40"E |
| L73                   | 46.77'   | N79°57'47"E |
| L74                   | 42.36'   | N30°01'06"E |
| L75                   | 145.69'  | N39°25'06"W |
| L76                   | 154.78'  | N33°04'14"E |
| L77                   | 125.11'  | N16°59'59"E |
| L78                   | 142.67'  | N5°03'36"W  |

INDEX OF SHEETS



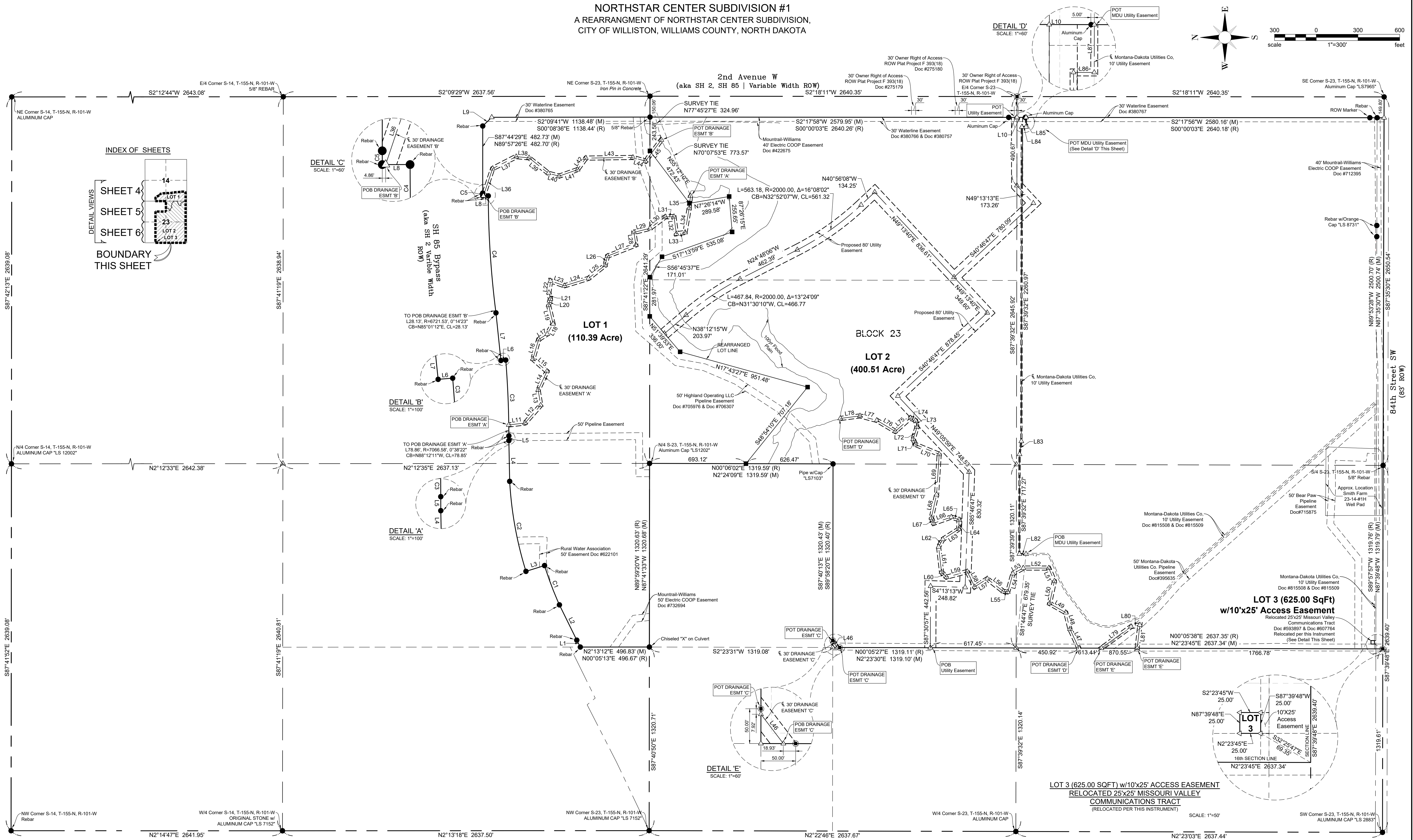
| Measured Parcel Curve Table |         |         |           |               |                |
|-----------------------------|---------|---------|-----------|---------------|----------------|
| Curve #                     | Length  | Radius  | Delta     | Chord Bearing | Chord Distance |
| C1                          | 302.56' | 2535.18 | 6°50'16"  | N71°30'22"E   | 302.38'        |
| C2                          | 659.52' | 2675.20 | 14°07'30" | N81°59'18"E   | 657.85'        |
| C3                          | 545.92' | 7066.58 | 4°25'35"  | N89°54'13"E   | 545.79'        |
| C4                          | 843.97' | 6721.53 | 7°11'39"  | N88°29'50"E   | 843.42'        |
| C5                          | 19.85'  | 6761.53 | 0°10'05"  | S87°49'02"E   | 19.85'         |

| Recorded Parcel Line Table |         |          |           |               |                |
|----------------------------|---------|----------|-----------|---------------|----------------|
| Curve #                    | Length  | Radius   | Delta     | Chord Bearing | Chord Distance |
| C1                         | 302.59' | 2534.79' | 06°50'23" | N69°12'12"E   | 302.41'        |
| C2                         | 659.53' | 2674.79' | 14°07'39" | N79°41'13"E   | 657.86'        |
| C3                         | 545.95' | 7065.49' | 04°25'38" | N87°36'40"E   | 545.82'        |
| C4                         | 844.01' | 6720.49' | 07°11'44" | N86°11'29"E   | 843.46'        |
| C5                         | 19.84'  | 6760.49' | 00°10'05" | N89°52'23"E   | 19.84'         |

| Measured Parcel Line Table |          |             |
|----------------------------|----------|-------------|
| Line #                     | Distance | Bearing     |
| L1                         | 55.66'   | N65°02'49"E |
| L2                         | 282.84'  | N66°03'02"E |
| L3                         | 139.97'  | N15°04'24"W |
| L4                         | 293.48'  | S88°52'37"E |
| L5                         | 33.65'   | S87°49'36"E |
| L6                         | 34.99'   | N2°19'03"W  |
| L7                         | 344.10'  | N86°18'01"E |
| L8                         | 40.01'   | N2°08'13"E  |
| L9                         | 90.25'   | S41°47'03"E |
| L10                        | 119.88'  | S2°20'25"W  |

| Recorded Parcel Line Table |          |             |
|----------------------------|----------|-------------|
| Line #                     | Distance | Bearing     |
| L1                         | 55.69'   | N62°46'52"E |
| L2                         | 282.80'  | N63°45'05"E |
| L3                         | 140.00'  | N17°22'37"W |
| L4                         | 293.47'  | N88°49'04"E |
| L5                         | 33.65'   | N89°49'29"E |
| L6                         | 35.00'   | N04°36'09"W |
| L7                         | 344.07'  | N83°59'43"E |
| L8                         | 40.00'   | N00°12'39"W |
| L9                         | 90.03'   | S44°14'36"E |

**NORTHSTAR CENTER SUBDIVISION #1**  
A REARRANGMENT OF NORTHSTAR CENTER SUBDIVISION  
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA



**CERTIFICATE OF SURVEYOR:**

I, Thomas Eugene Osen, a Registered Land Surveyor in the State of North Dakota, do hereby certify that this plat was made from an actual survey done by me, or under my direction on June 20, 2024, and that to the best of my knowledge said survey is a true and correct representation of the survey, that all distances are correct and monuments are placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

Thomas Eugene Osen, PLS  
North Dakota Registration No. 7965

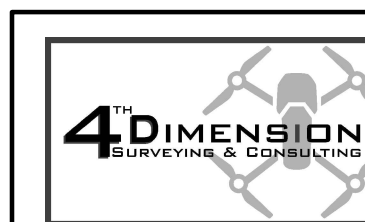
STATE OF \_\_\_\_\_)  
; ss.  
COUNTY OF \_\_\_\_\_)

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Thomas E. Osen, and acknowledged to me that he executed the same.

Notary, State of North Dakota



Sheet 3 of 6

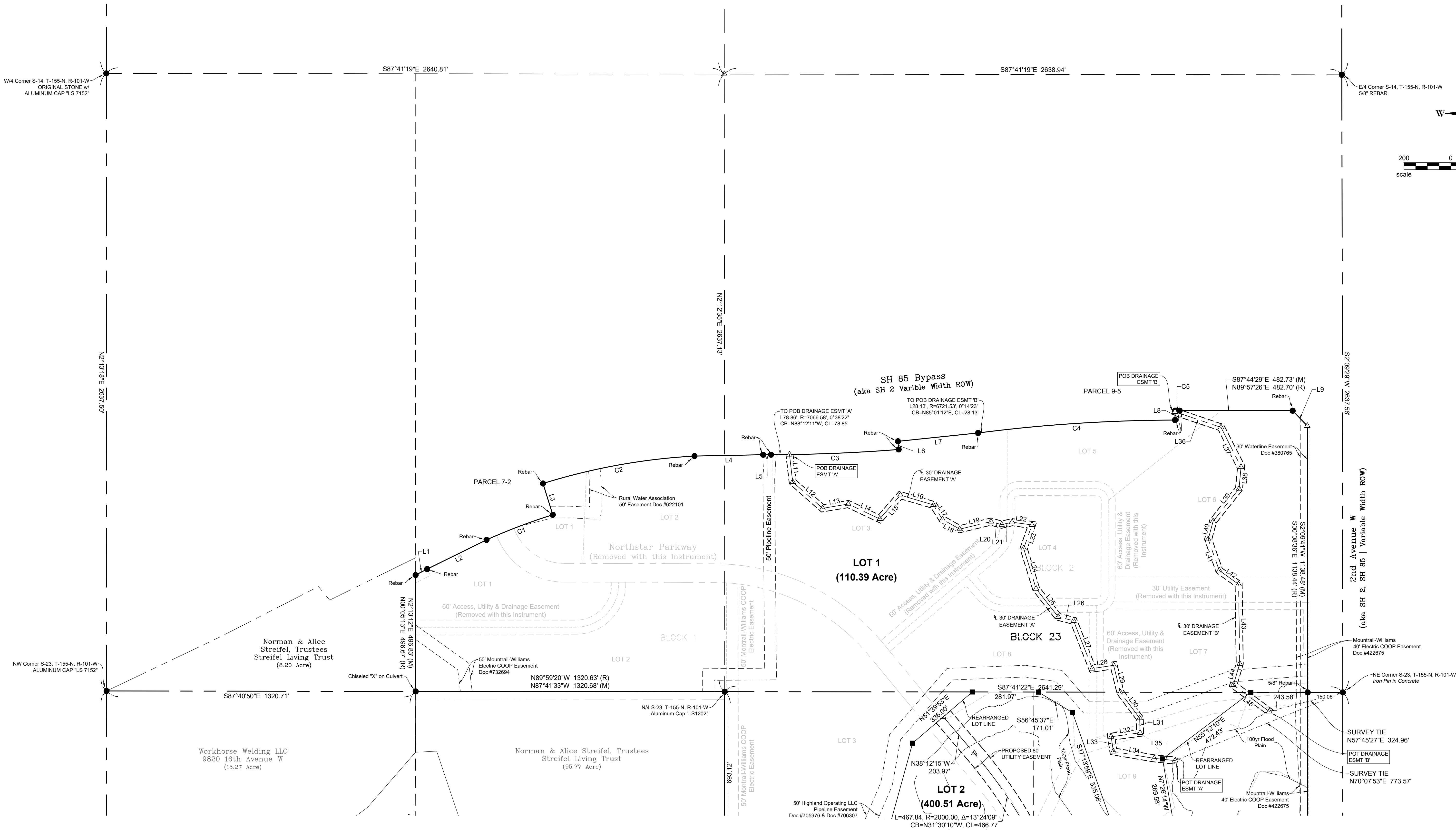
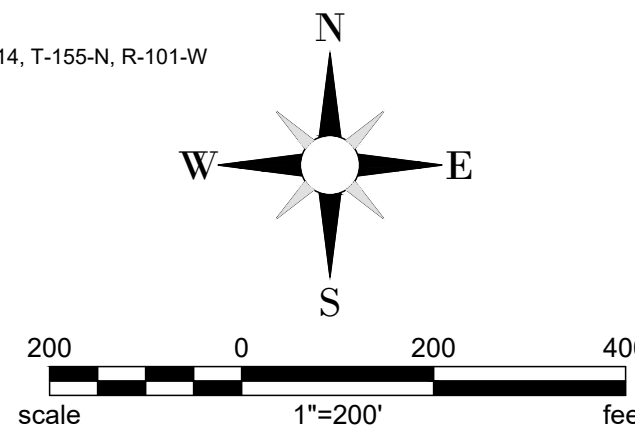
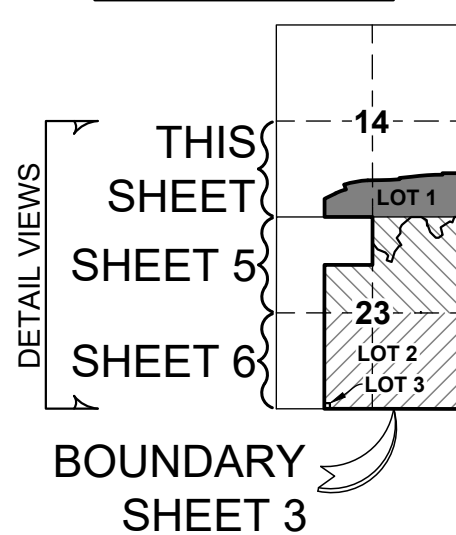


14945 COCHISE STREET  
WILLISTON, ND 58801  
  
www.4dsc.us  
(701) 580-5267

|              |                     |
|--------------|---------------------|
| Drawn By:    | TBL LLC             |
| Reviewed By: | RB                  |
| Date:        | February 25, 2025   |
| Project No.: | 4D24171             |
| File Name:   | Fighting Pike 2.dwg |

NORTHSTAR CENTER SUBDIVISION #1  
A REARRANGMENT OF NORTHSTAR CENTER SUBDIVISION,  
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

INDEX OF SHEETS



LEGEND

|  |                          |  |                                            |
|--|--------------------------|--|--------------------------------------------|
|  | BOUNDARY / PROPERTY LINE |  | MONUMENT FOUND (AS NOTED)                  |
|  | PROPOSED LOT LINE        |  | SET 5/8"x24" REBAR W/ WIRE CAP "7965LS"    |
|  | SECTION LINE             |  | SET 5/8"x24" REBAR w/ALUMINUM CAP "7965LS" |
|  | QUARTER SECTION LINE     |  | CALCULATED POINT                           |
|  | 16th SECTION LINE        |  | RECORD INFORMATION                         |
|  | RIGHT-OF-WAY             |  | MEASURED INFORMATION                       |
|  | EASEMENT                 |  | POINT OF BEGINNING                         |
|  | EXISTING LOT LINE        |  | POINT OF TERMINUS                          |
|  | ADJOINER LOT LINE        |  | WATER VALVE                                |
|  | ELECTRICAL LINE          |  | SANITARY MANHOLE                           |
|  | GAS LINE                 |  | STORM MANHOLE                              |
|  | FIBER OPTICAL            |  | POWER POLE                                 |
|  | UNDERGROUND ELECTRICAL   |  | ELECTRICAL TRANSFORMER                     |
|  | WATER LINE               |  |                                            |

CERTIFICATE OF SURVEYOR:

I, Thomas Eugene Osen, a Registered Land Surveyor in the State of North Dakota, do hereby certify that this plat was made from an actual survey done by me, or under my direction on June 20, 2024, and that to the best of my knowledge said survey is a true and correct representation of the survey, that all distances are correct and monuments are placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

Thomas Eugene Osen, PLS  
North Dakota Registration No. 7965



STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Thomas E. Osen, and acknowledged to me that he executed the same.

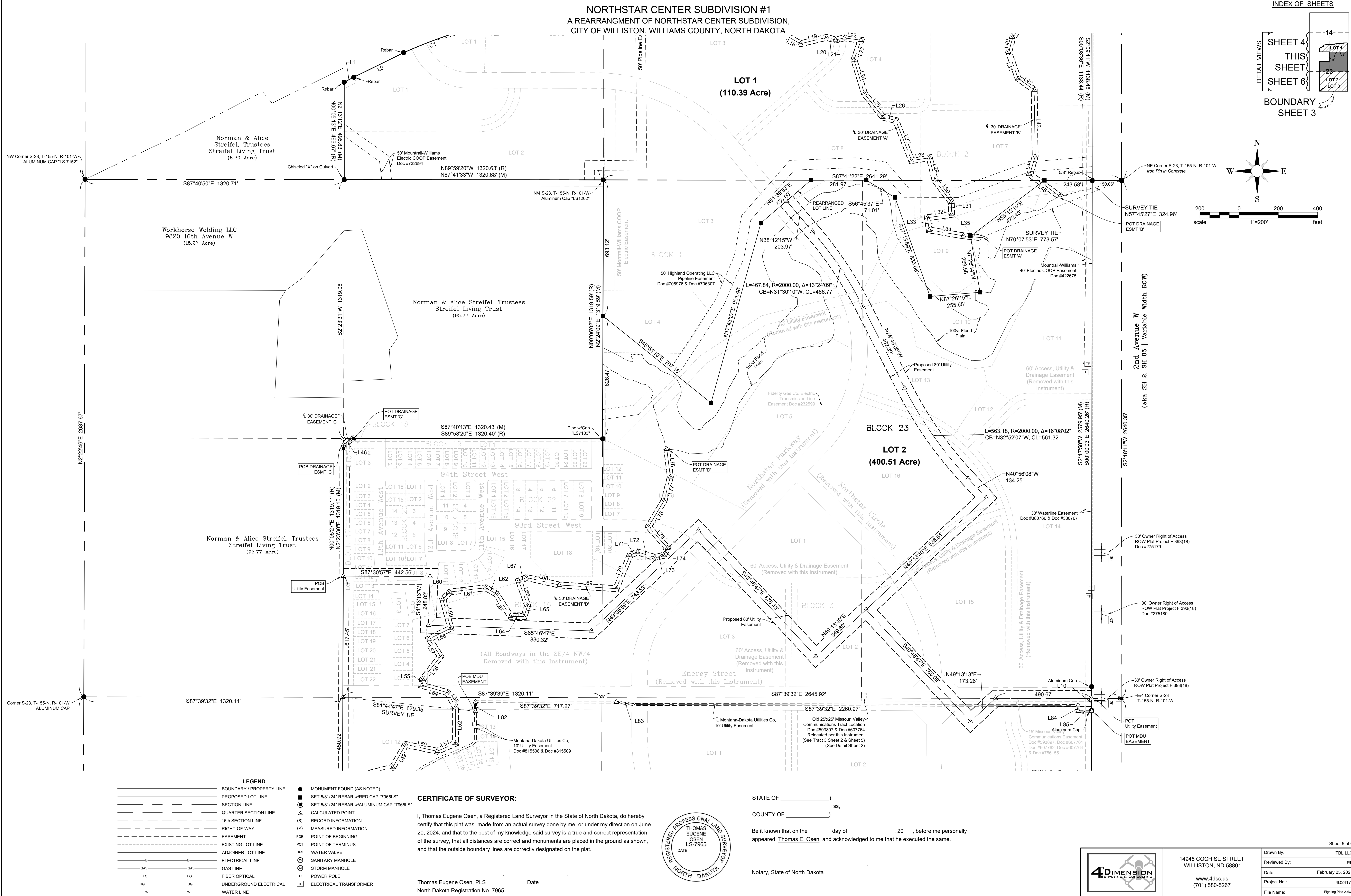
Notary, State of North Dakota



14945 COCHISE STREET  
WILLISTON, ND 58801  
www.4dsc.us  
(701) 580-5267

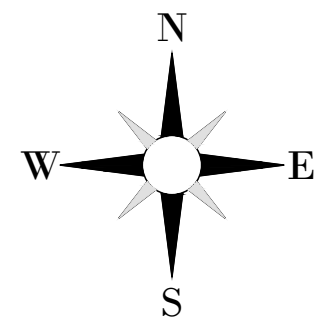
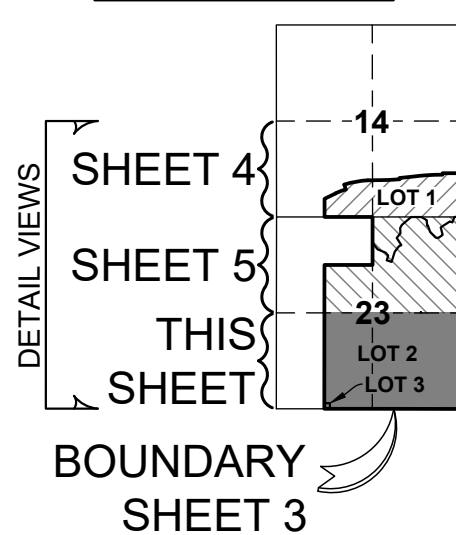
|              |                     |
|--------------|---------------------|
| Drawn By:    | TBL LLC             |
| Reviewed By: | RB                  |
| Date:        | February 25, 2025   |
| Project No.: | 4D24171             |
| File Name:   | Fighting Pike 2.dwg |

Sheet 4 of 6



NORTHSTAR CENTER SUBDIVISION #1  
A REARRANGMENT OF NORTHSTAR CENTER SUBDIVISION,  
CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA

INDEX OF SHEETS



200 0 200 400  
scale 1"=200' feet

W/4 Corner S-23, T-155-N, R-101-W  
ALUMINUM CAP

S87°39'32"E 1320.14'

N2°23'03"E 2637.44'

Norman & Alice Streifel, Trustees  
Streifel Living Trust  
(79.89 Acre)

(All Roadways in the  
E/2 SW/4 & SW/4 SE/4  
Removed with this Instrument)

LOT 3 (625.00 SqFt)  
w/10'x25' Access Easement

Relocated 25'x25' Missouri Valley  
Communications Tract  
Doc #593897 & Doc #607764  
Relocated per this Instrument  
(See Detail Sheet 3)

SW Corner S-23, T-155-N, R-101-W  
ALUMINUM CAP "LS 2883"

1319.61'

S87°39'48"E 2639.40'

S89°57'57"W 1319.76' (R)  
N87°39'48"W 1319.79' (M)

Montana-Dakota Utilities Co.  
10' Utility Easement  
Doc #815508 & Doc #815509

S/4 S-23, T-155-N, R-101-W  
5/8" Rebar

84th Street SW  
(83' ROW)

N89°53'28"W 2500.70' (R)  
N87°35'30"W 2500.74' (M)

S87°35'30"E 2650.54'

SE Corner S-23, T-155-N, R-101-W  
Aluminum Cap "LS7965"

LEGEND

|   |                          |
|---|--------------------------|
| — | BOUNDARY / PROPERTY LINE |
| — | PROPOSED LOT LINE        |
| — | SECTION LINE             |
| — | QUARTER SECTION LINE     |
| — | 16th SECTION LINE        |
| — | RIGHT-OF-WAY             |
| — | EASEMENT                 |
| — | EXISTING LOT LINE        |
| — | ADJOINER LOT LINE        |
| — | ELECTRICAL LINE          |
| — | GAS LINE                 |
| — | FIBER OPTICAL            |
| — | UNDERGROUND ELECTRICAL   |
| — | WATER LINE               |

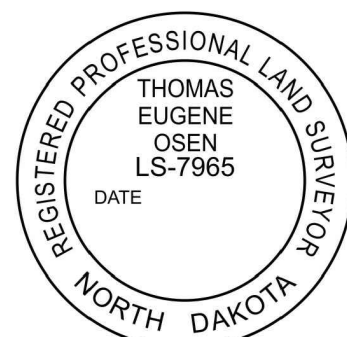
|     |                                            |
|-----|--------------------------------------------|
| ●   | MONUMENT FOUND (AS NOTED)                  |
| ■   | SET 5/8"x24" REBAR w/REBAR CAP "7965LS"    |
| ■   | SET 5/8"x24" REBAR w/ALUMINUM CAP "7965LS" |
| △   | CALCULATED POINT                           |
| (R) | RECORD INFORMATION                         |
| (M) | MEASURED INFORMATION                       |
| POB | POINT OF BEGINNING                         |
| POT | POINT OF TERMINUS                          |
| W   | WATER VALVE                                |
| ⊙   | SANITARY MANHOLE                           |
| ⊙   | GAS LINE                                   |
| ⊙   | STORM MANHOLE                              |
| ⊙   | POWER POLE                                 |
| ⊙   | ELECTRICAL TRANSFORMER                     |

CERTIFICATE OF SURVEYOR:

I, Thomas Eugene Osen, a Registered Land Surveyor in the State of North Dakota, do hereby certify that this plat was made from an actual survey done by me, or under my direction on June 20, 2024, and that to the best of my knowledge said survey is a true and correct representation of the survey, that all distances are correct and monuments are placed in the ground as shown, and that the outside boundary lines are correctly designated on the plat.

Thomas Eugene Osen, PLS  
North Dakota Registration No. 7965

Date



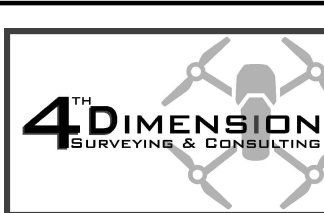
STATE OF \_\_\_\_\_

; ss,

COUNTY OF \_\_\_\_\_

Be it known that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Thomas E. Osen, and acknowledged to me that he executed the same.

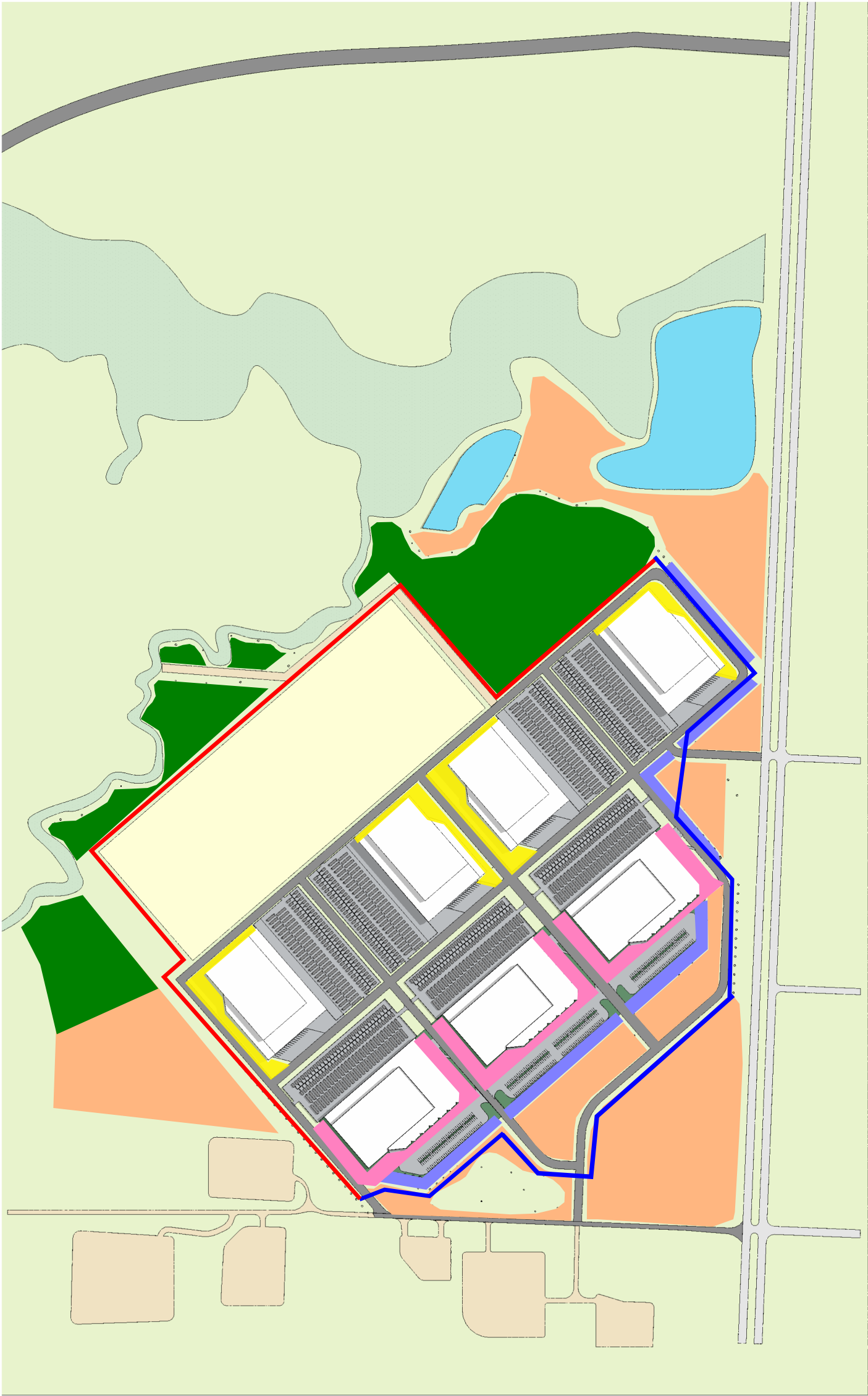
Notary, State of North Dakota



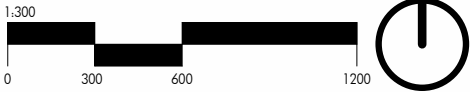
14945 COCHISE STREET  
WILLISTON, ND 58801  
  
www.4dsc.us  
(701) 580-5267

|              |                     |
|--------------|---------------------|
| Drawn By:    | TBL LLC             |
| Reviewed By: | RB                  |
| Date:        | February 25, 2025   |
| Project No.: | 4D24171             |
| File Name:   | Fighting Pike 2.dwg |

Sheet 6 of 6



- ZONE 1**  
CONIFERS: VARIETY OF SPRUCE AND PINE.
- ZONE 2**  
DECIDUOUS: APPROVED BOULEVARD TREES
- ZONE 3**  
MAIN BUILDING FOUNDATION LANDSCAPING: SHRUBS AND PERENIALS
- ZONE 4**  
PRAIRIE GRASSES
- ZONE 5**  
MANICURED GRASSES
- ZONE 6**  
EXTRA-LARGE CONIFER TREES, AS IDENTIFIED IN THE CITY'S LIST OF AUTHORIZED BOULEVARD TREES, WILL BE PLANTED EVERY 50 FEET ALONG THE OUTSIDE OF THE ORNAMENTAL FENCE LINE PARALLEL TO US-2.
- ORNAMENTAL FENCE**  
LOCATION NOTED IN BLUE.





DATE: March 25, 2025

TO: City Commission

FROM: Kenny Bergstrom, Director of Public Works

RE: Bid Openings

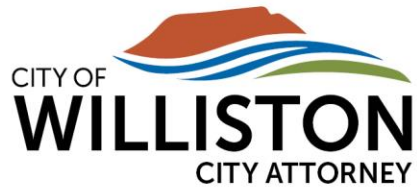
#### 4A 2025 Underground Wire Replacement Project (Street Lights Department)

Public Works opened bids on Tuesday, March 18, for the following project:

|                                                                      |                   |
|----------------------------------------------------------------------|-------------------|
| 2025 Underground Wire Replacement Project (Street Lights Department) | Budget: \$225,000 |
| On Point Electrical Services, LLC                                    | \$394,955.00      |
| Parsons Electric                                                     | \$461,854.00      |
| Strata Corporation                                                   | \$597,387.00      |

We received a total of three bids. We are recommending an award of the 2025 Underground Wire Replacement Project, General Conditions, Area I and Area 5, to On Point Electrical Services, LLC of Williston, ND in the amount of \$163,008.00.

#### Attachments



**DATE:** March 25, 2025  
**TO:** City Commission  
**FROM:** Taylor Olson, City Attorney  
**RE:** Ordinance Amendments

---

Good evening Mayor Klug, Commissioners, and Department Heads. I have a number of ordinance amendments to review this evening.

**8(C)(1) Amendment to Animal Penalties.**

This is an ordinance drafted after consideration of ordinances in the City Code of Ordinances regarding animal penalties. This ordinance amends the penalty for the majority of animal related offenses to an infraction level of offense. This is done because there is never jail time requested and the offenses are of a lower level. It seemed as though a misdemeanor was a harsher penalty than necessary. This amendment leaves "Animal Cruelty" and "Keeping Pitbull Prohibited" as misdemeanors and changes all of the other animal offenses to infractions. The City Attorney's office discussed these changes with the supervisor of the animal control department of the Williston Police Department and they concur with the changes.

**8(C)(2) Amendment to Building Code Penalty**

This is an ordinance amendment drafted after consideration of penalties for junk ordinance violations. Currently a junk ordinance violation is a class B misdemeanor. The City Attorney has never requested jail time on a junk ordinance violation and therefore, is requesting to change the penalty to an infraction. Infractions have a maximum fine of \$1,000.00 and after a specific number of offenses in a specific time frame, an infraction can be pled as a misdemeanor, if we have a repeat offender. The City Attorney's office has discussed these changes with the Building Department and City Administration and they concur with the changes.

**8(C)(3) SRO Agreement for 2025-2026 School Year**

Looking ahead, the City Attorney's office and the attorney for the Williston Public School District 7 have negotiated and agreed to an SRO agreement for the next school year. We are asking the Commission tonight to adopt this agreement.

**8(C)(4) Wildlife Management Program**

This is an ordinance amendment to add an exception to the existing ordinance prohibiting the discharge of a firearm in city limits, as it pertains to an FAA required

Wildlife Management Program. This is required by the FAA for the airport which is located in city limits. The bulk of the ordinance remains the same.

**8(C)(5) 48 Hour Parking**

This is an ordinance amendment requested by a committee of city officials who recently met regarding parking issues. The parking ordinance that prohibits parking for a period of great than 48 hours, does not set out a requirement for the amount of “movement” of the vehicle. Therefore, the suggested new language is that a vehicle must move one city block, or six hundred (600) feet, whichever is less. This will prevent people from avoiding the ticket by moving their vehicle mere inches.

Thank you,

Taylor Olson  
City Attorney

**ORDINANCE NO. 1161**

**AN ORDINANCE OF THE CITY OF WILLISTON AMENDING CHAPTER 4 SECTIONS 4-10 AND 4-12 OF THE WILLISTON CODE OF ORDINANCES REGARDING VARIOUS PENALTIES FOR ANIMAL OFFENSES.**

WHEREAS, the City of Williston enacted the current version of this Ordinance in 2018 and 2020, respectively, and

WHEREAS, the penalty for certain violations of animal offenses were previously a class B misdemeanor and the City of Williston now intends for them to be an infraction, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

4-10 Vicious Animal.

...

(b) Every person who shall knowingly keep, harbor, or shelter a vicious animal within the City limits shall be guilty of an infraction and subject to the penalties provided for in this Code.

...

4-12 Classification and Penalties.

Violation of §§ 4-5 and 4-89 shall be Class B misdemeanors. All other violations shall be classified as infractions as defined by 1-11(b).

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners vote "AYE":

\_\_\_\_\_

\_\_\_\_\_, and the following Commissioners vote "NAY":

\_\_\_\_\_. Absent and not voting:

\_\_\_\_\_.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Howard Klug, President**

---

Board of City Commissioners

ATTEST:

---

**Hercules Cummings**, Director of Finance

First Reading: March 25, 2025

Second Reading: April 8, 2025

Published:

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

**ORDINANCE NO. 1162**

**AN ORDINANCE OF THE CITY OF WILLISTON AMENDING CHAPTER 5 SECTION 5-296 OF THE WILLISTON CODE OF ORDINANCES REGARDING THE PENALTY FOR VIOLATION OF THE JUNK ORDINANCE**

WHEREAS, the City of Williston enacted the current version of this Ordinance in 2014, and

WHEREAS, the penalty for a violation of the junk ordinance was previously a class B misdemeanor and the City of Williston now intends for it to be an infraction, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

The penalty for violation of this article shall be an infraction as defined in 1-11(b). When the City has effected the removal of junk, trash, rubbish, building materials, or blighted structures, or has paid for their removal, the actual cost thereof, including any necessary costs for placing the property in a condition to allow the removal of junk, trash, rubbish, building materials, or blighted structures, if not paid by said owner within 10 days, shall be charged and assessed against the property upon which removal was necessary. An assessment list showing the lots or tracts to be assessed with the cost against each lot or tract shall be prepared as are other special assessment lists and shall be approved by the City Commission. Such assessments shall be subject to the same procedure for certification to the County Auditor, payment and collection as are other special assessments under State law.

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners vote "AYE":

\_\_\_\_\_, and the following Commissioners vote "NAY":  
\_\_\_\_\_. Absent and not voting:  
\_\_\_\_\_.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Howard Klug**, President  
Board of City Commissioners

ATTEST:

\_\_\_\_\_  
**Hercules Cummings**, Director of Finance

First Reading: March 25, 2025

Second Reading: April 8, 2025

Published:

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

**ORDINANCE NO. 1163**

**AN ORDINANCE OF THE CITY OF WILLISTON AMENDING CHAPTER 12 SECTION 12-65 OF THE WILLISTON CODE OF ORDINANCES REGARDING DISCHARGE OF A FIREARM WITHIN CITY LIMITS.**

WHEREAS, the City of Williston enacted the current version of this Ordinance in 2024, and

WHEREAS, the purpose of this ordinance is to set out an exception for discharge of a firearm within city limits due to an FAA required Wildlife Management Program, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

A person who discharges a firearm within the corporate city limits is guilty of class B misdemeanor. This section does not apply to the lawful discharge of firearms by law enforcement officers, by employees or agents of the Williston Airport pursuant to an FAA approved Wildlife Hazard Management Plan, or by participants in lawful activities in which discharge of firearms is a recognized part of the activity, including shooting galleries or ranges.

The portions of the ordinance not included in the amendment shall remain in full force and effect. The amended portions of the ordinance shall be in full force and effect upon its final passage, approval, and publication.

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners vote "AYE":

\_\_\_\_\_, and the following Commissioners vote "NAY":  
\_\_\_\_\_. Absent and not voting:  
\_\_\_\_\_.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**Howard Klug**, President  
Board of City Commissioners

ATTEST:

---

**Hercules Cummings**, Director of Finance

First Reading: March 25, 2025

Second Reading: April 8, 2025

Published:

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

**ORDINANCE NO. 1164**

**AN ORDINANCE OF THE CITY OF WILLISTON AMENDING CHAPTER 10 SECTION 10-264 OF THE WILLISTON CODE OF ORDINANCES REGARDING 48 HOUR PARKING.**

WHEREAS, the City of Williston enacted the current version of this Ordinance in 1987, and

WHEREAS, the purpose of this ordinance is to amend the ordinance for 48 hour parking to disallow the minimal movement of vehicles, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA.

- (a) It shall be unlawful for any person to park or leave standing on any public street or highway in the City, any vehicle for a period longer than 48 hours consecutively, provided, however, that this section shall not include any area where a shorter time is provided for parking, nor shall this section be construed to permit parking for a longer time than is provided in such areas. When said forty-eight (48) hours shall have elapsed and said vehicle shall not have been moved for a distance of more than one (1) block or six hundred (600) feet, whichever is less, then said vehicle shall be construed to have remained stationary.

The portions of the ordinance not included in the amendment shall remain in full force and effect. The amended portions of the ordinance shall be in full force and effect upon its final passage, approval, and publication.

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner \_\_\_\_\_. On roll call vote of the Commissioners vote "AYE":

\_\_\_\_\_, and the following Commissioners vote "NAY":  
\_\_\_\_\_. Absent and not voting:  
\_\_\_\_\_.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this \_\_\_\_\_  
day of \_\_\_\_\_, 2025.

---

**Howard Klug**, President  
Board of City Commissioners

ATTEST:

---

**Hercules Cummings**, Director of Finance

First Reading: March 25, 2025  
Second Reading: April 8, 2025

Published:

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.



**DATE:** March 25<sup>th</sup>, 2025  
**TO:** City Commission  
**FROM:** Kent Jarcik, City Planner  
**RE:** Plat Review- Major Subdivision Plat

**8.H.1 Review of a proposed major subdivision, a rearrangement of Lots 1-13, Block 2 of the Bennett Industrial Park Third Addition subdivision, and Lot 2R a rearrangement of Lot 20, Block 2, Bennet Industrial Park Third Addition, T154N, R101W- Corner Post LLC.**

A plat of the Corner Post Addition, a proposal to rearrange Lots 1-13, Block 2 of the Bennett Industrial Park Third Addition subdivision, and Lot 2R a rearrangement of Lot 20, Block 2, Bennet Industrial Park Third Addition to create seven (7) individual lots. Two (2) of the lots will be designated “non-buildable” and will be utilized for on-site stormwater detention ponds. This item was heard at the Planning and Zoning Commission regular meeting on March 17<sup>th</sup>, 2025.

**PHASING:**

See a phased plan attached. Phase I will be the development of a truck stop on Lot “A”. Road construction will be completed on James Drive from HWY 85 to Jackson Street and Jackson from James Drive to the north end of Lot “A”. Jackson Street will be rough graded with drainage ditches beyond this point to the drainage detention area to carry stormwater from the phase I truck stop. This portion of the road will be completed with Phase II. Phase I will also include the extension of the 8” water line in Jackson Street.

**ROADS/TRAFFIC**

The subject property has frontage along Hwy-85, James Drive and 141<sup>st</sup> Avenue NW. Access to the properties will be from James Drive and the new Jackson Street created with this plat. Jackson Street will connect James Drive and 141<sup>st</sup> Avenue NW for access to any future development on the internal lots. No direct access to Hwy-85 is permitted by NDDOT. Both James Drive and Jackson Street are roads within the Township Jurisdiction and 141<sup>st</sup> Avenue NW is a County Road.

Traffic Impact Study: James Drive is a Williston Township road being used to access the development that is built, maintained, and repaired by the township. A traffic impact study is not being required by Williston Township or NDDOT for this phase of development and can be made a requirement of future phases to be determined at time of development.

**FIRE DEPARTMENT**

*Fire Department has commented on the project. The water line as proposed will achieve the fire flow to meet fire code requirements for the proposed truck stop.*

**SUBDIVISION PLAT**

Final Plat: There will be a second round of Commission reviews. The final plat will need to be reviewed by the Planning and Zoning Commission and City Commission.

Final Plat Timeline: The road design for James Drive needs to be approved by Williston Township before the final plat review by the Planning and Zoning Commission and City Commission. The final plat with CCRs needs to be submitted 21 days prior to the Planning and Zoning Commission meeting.



**Recommendation: The Planning & Zoning Commission recommended:**

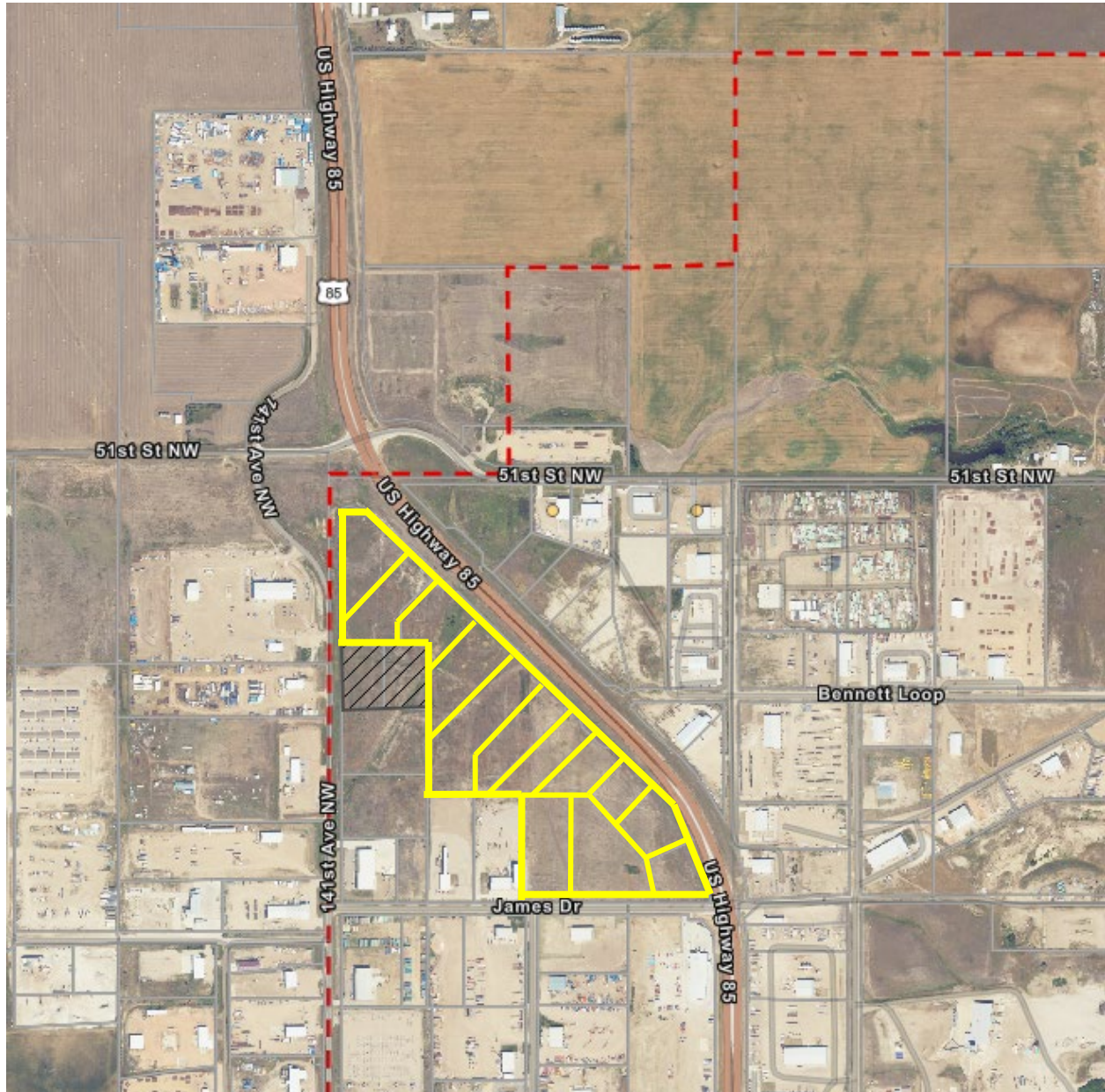
1. *To approve the subdivision plat for the Corner Post Addition, located in the NW1/4 of Section 19, T154N, R101W, as presented and conditioned.*

**Attachments:**

1. Zoning Map
2. Phase map
3. Fact sheet
4. Subdivision Plat
5. Site Plan

# LOCATOR MAP

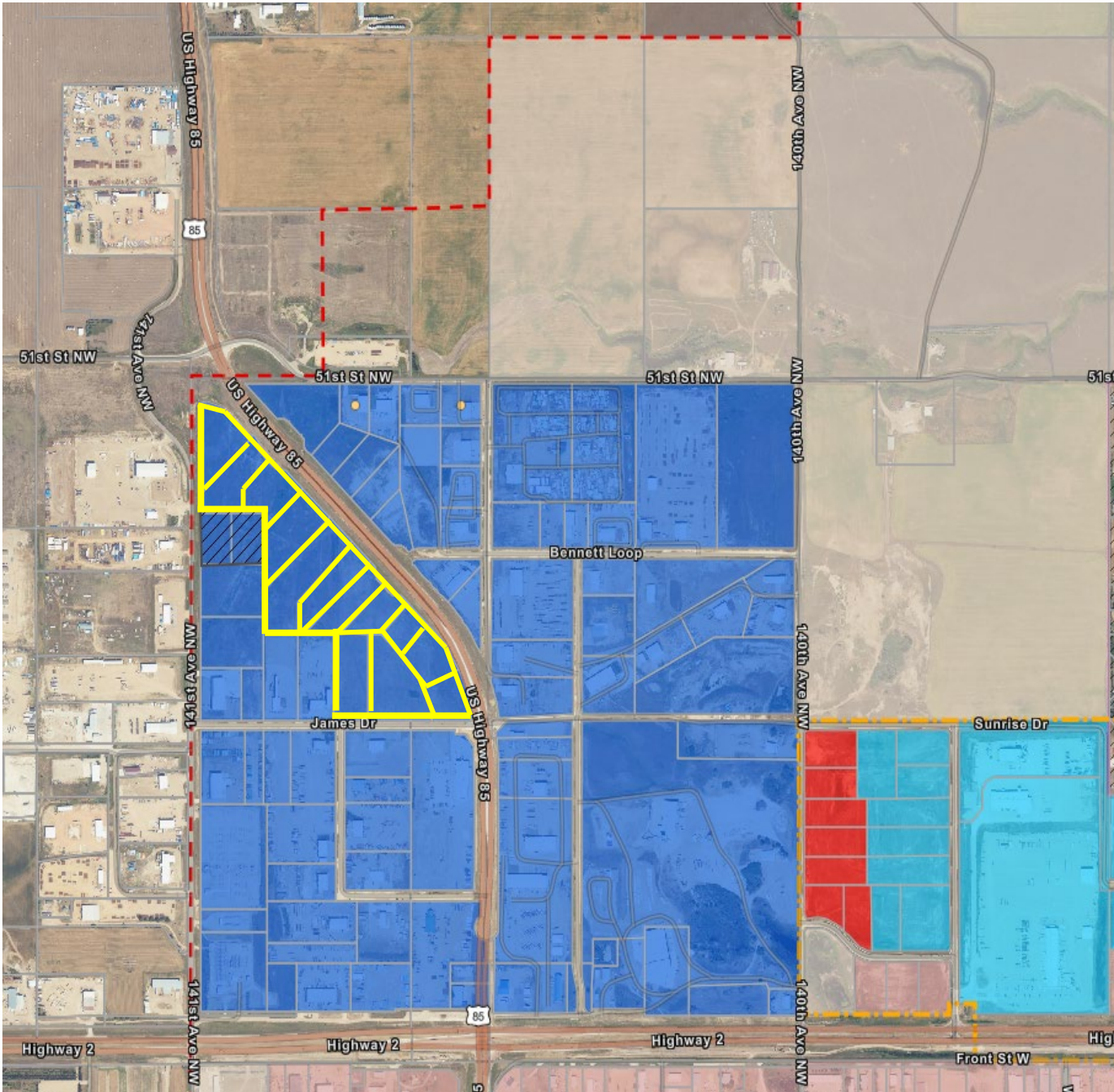
Subdivision- Lots 1-13 and Lot 2R, Block 2, Bennett Industrial Park 3<sup>rd</sup> Addition, T154N, R101W for a future truck stop



# ZONING MAP

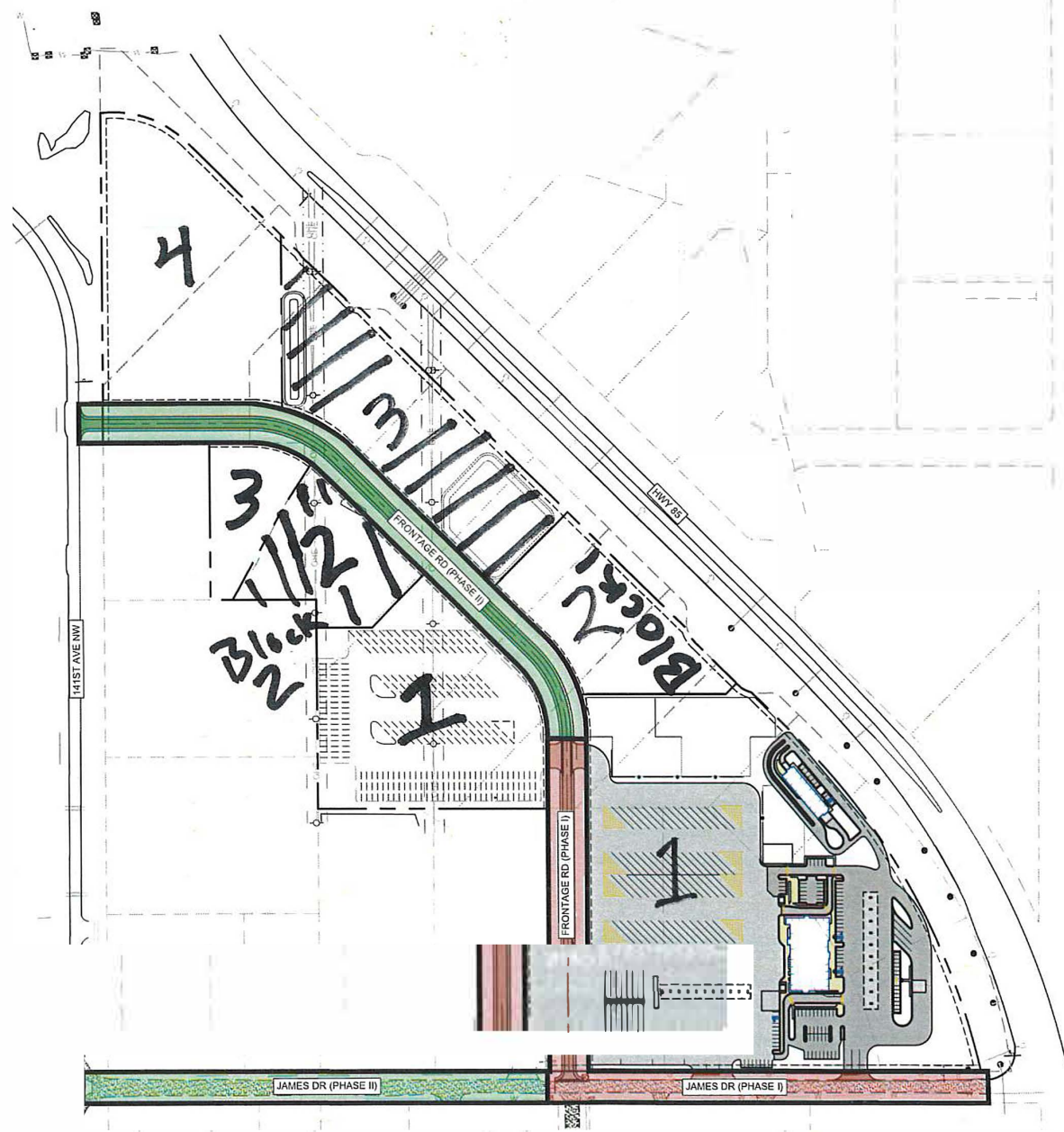
### Legend

## Zoning Districts



W:\Considered\Consolidated\1788-2024\1788-2024-001\1788-2024-001-005.dwg

1788-2024-001-005.dwg



**LEGEND**

PHASE I (ANTICIPATED CONSTRUCTION IN 2025)

PHASE II (ANTICIPATED CONSTRUCTION IN 2026)

**GENERAL NOTE:**

IMPROVEMENTS TO JAMES DRIVE ARE OUTSIDE THE SCOPE OF THIS PLAN SET. JAMES DRIVE IMPROVEMENTS TO BE DESIGNED BY OTHERS.

**AES**  
2

**PRELIMINARY**  
NOT FOR CONSTRUCTION

|                                                                                                                 |                       |
|-----------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>STAMP</b>                                                                                                    |                       |
| 800-642-5774<br>www.aes2.com<br>Appleton, WI Columbus, WI<br>Rapid City, SD Bemidji, ND<br>CAD: reggie@aes2.com |                       |
| USED OFF-SITE PLANS FOR CORNERPOST                                                                              |                       |
| PR                                                                                                              | P                     |
| HWY 5 - WILLIST N, ND 58801                                                                                     |                       |
| ISSUED FOR REVIEW:                                                                                              |                       |
| ISSUED FOR BID:                                                                                                 |                       |
| ISSUED FOR PERMIT:<br>JAN 2025                                                                                  |                       |
| ISSUED FOR CONSTRUCTION:                                                                                        |                       |
| ISSUED REVISIONS                                                                                                |                       |
| Revision                                                                                                        | Date Rev. Description |
| DRAWN BY: XXX                                                                                                   |                       |
| PROJECT # 11788-2024-001                                                                                        |                       |
| <b>C005</b>                                                                                                     |                       |
| SHEET TITLE<br>PHASE I PLAN                                                                                     |                       |

| PLANTING SCHEDULE |      |       |                           |                               |
|-------------------|------|-------|---------------------------|-------------------------------|
| Type Mark         | Size | Count | Scientific Name           | Common Name                   |
| B                 |      | 20    | Betula Platyphylla        | Dakota Pinnical Birch - 10'   |
| B: 20             |      |       |                           |                               |
| BS                |      | 13    | Picea Slauca Var. Densata | Colorado Spruce - 13'         |
| BS: 13            |      |       |                           |                               |
| CS                |      | 9     | Betula Platyphylla        | Chrimsom Spire Oak - 45'      |
| CS: 9             |      |       |                           |                               |
| MJ                |      | 33    | Juniper Chinensis         | Mint Julep Juniper 3.5 gallon |
| MJ: 33            |      |       |                           |                               |
| MM                |      | 35    | Pinus Mugo Mops           | Mops Mugo Pine                |
| MM: 35            |      |       |                           |                               |
| VB                |      | 37    | Viburnum Dentatum         | Arrowood Viburnum 3'-6"       |
| VB: 37            |      |       |                           |                               |
| Grand total: 147  |      |       |                           |                               |

PARKING REQUIREMENTS

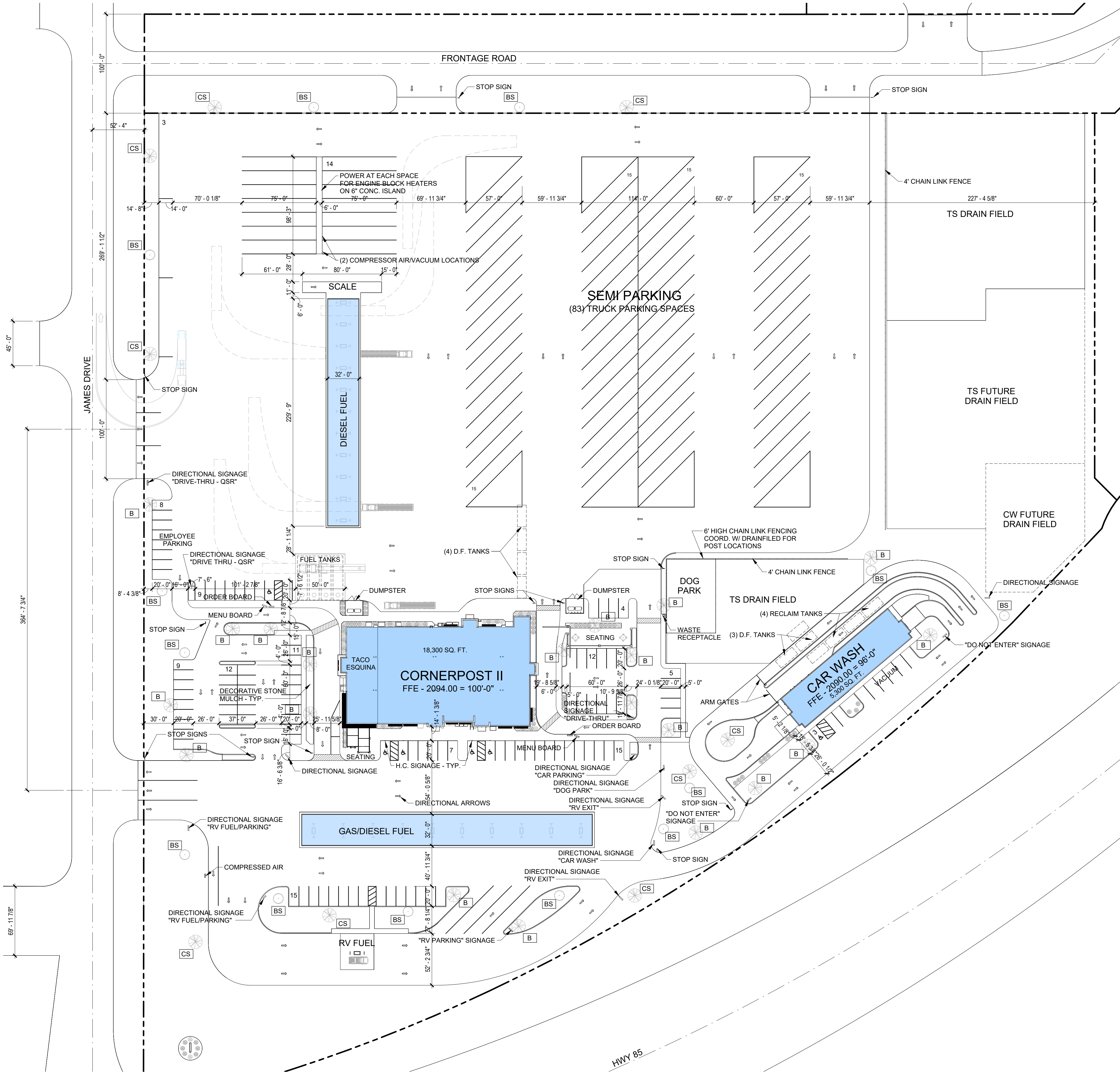
TRUCK STOP - 15,700 SQ. FT.

RESTURANTS - 7500 SQ. FT. / 100 = 75 SPACES  
RETAIL - 8202 SQ. FT. / 300 = 28 SPACES

TOTAL SPACES - (103) REQUIRED  
TOTAL SPACES - (109) PROVIDED (INC. 5 H.C. SPACES)

CAR WASH - 5,020 SQ. FT.

TOTAL SPACES - (4) PROVIDED + (5) VACUUM SPACES



SITE PLAN - ENLARGED  
1" = 50'-0"



STAMPS

PROPOSED BUILDING FOR:

CORNERPOST II

HWY 85 - WILLISTON, ND - 58801

ISSUED FOR REVIEW: 2-3-25

ISSUED FOR BID:

ISSUED FOR PERMIT:

ISSUED FOR CONSTRUCTION:

ISSUED REVISIONS

| Revision | Date | Rev. Description |
|----------|------|------------------|
|----------|------|------------------|

DRAWN BY: AB / BA

PROJECT #: 0480004

A002

SHEET TITLE

SITE PLAN - ENLARGED



**DATE:** March 25, 2025

**TO:** City Commission

**FROM:** Anna Nelson, Executive Director

**RE:** Report of Departments – STAR Fund

**8I1 Flex PACE Applications**

**The Corn Dog Company:** Flex Pace application for buildouts of property located at 1135 2<sup>nd</sup> Avenue West Suite 209 in Williston. This will be a shared space with the Soda Shack. Request for buydown is not to exceed \$20,000.

**Highline Cleaning Services:** Flex Pace application for purchase of property located at 912 2<sup>nd</sup> Street West in Williston. This will be used as a retail space. Request for buydown is not to exceed \$16,900.

**JCR Excavating LLC:** Flex Pace application for purchase of property located at 5818 Jefferson Lane in Williston. Property is located within the ETJ. Request for buydown is not to exceed \$63,000.

**The STAR Fund Board recommends the above Flex PACE application(s) be approved, as presented, by the Williston City Commission.**

**8I2 Community Grant Applications**

**Williston Military Affairs Committee:** Request for \$10,000 for assistance in funding their Patriot Gate project at Hillside Cemetery.

**Trinity Christian School:** Request for \$5,000 for assistance with the purchase of their new digital display sign. This was moved from a Mini Match application to a Community Grant application.

**The STAR Fund Board recommends the above Community Grant application(s) be approved by the Williston City Commission.**

**Attachments**

STAR Fund Applications, STAR Fund Minutes



**DATE:** Tuesday, March 25, 2025  
**TO:** City Commission  
**FROM:** Anthony Dudas, Airport Director  
**RE:** Memo to Commissioners – Airport

**8J1: Air Service Agreement – Sun Country Airlines**

Sun Country has announced its proposed seasonal schedule for direct flights between XWA and Las Vegas, operating from September 4 to December 15, 2025. Service will run on Thursdays and Mondays, with departures from Las Vegas at 9:00 AM, arriving at XWA at 1:30 PM, and returning to Las Vegas at 2:30 PM.

To support this service, commission approval is required for a Minimum Revenue Guarantee (MRG) of \$517,130—an increase of \$150,000 from the 2024 MRG of \$365,642. The MRG is a partnership between the City and Sun Country to ensure minimum revenue for continued operations.

In 2024, flights operated at approximately 67% capacity, carrying 7,131 passengers compared to 8,316 in 2023. Several key adjustments are planned to improve performance for the 2025 season, pending approval. Flight days have been strategically shifted to better align with major sporting events and other attractions in Las Vegas based on passenger feedback. Additionally, marketing efforts will pivot to focus more on domestic travelers, shifting away from the previous emphasis on Canadian markets. With these enhancements, along with anticipated regional economic growth, we are confident this route will continue gaining traction toward long-term sustainability.

This service aligns with the commission-approved air service development program, reinforcing our commitment to enhancing quality of life, expanding travel options, and supporting workforce attraction and retention in the Williston region. With growing momentum and brand recognition, this affordable travel option remains a valuable asset for our community.

**I recommend approval of the air service agreement with Sun Country Airlines for \$517,130.**

## **8J2: Customs & Border Protection Cost Sign Off Authorization**

U.S. Customs and Border Protection (CBP) operates a General Aviation Facility (GAF) at XWA, allowing international aircraft to enter the United States through our airport. As part of our agreement to support CBP operations, we are required to provide and maintain suitable facilities, including essential IT equipment.

CBP has submitted a cost sign-off document outlining an estimated \$24,882.95 for IT equipment upgrades. Actual costs will be billed as incurred.

**I request authorization to execute the necessary documents to proceed with this mandated equipment replacement, ensuring continued compliance with our agreement and uninterrupted CBP operations at XWA.**

## **8J3: Burns & McDonnell Multi-Function Snow Removal Equipment Procurement Task Order**

The FAA provides entitlement grant funding which covers 90% of the procurement costs including professional services. In addition, the ND Aeronautics Commission typically provides a 5% match, leaving the remaining 5% to be covered by local funds.

The airport currently operates three multi-function trucks which have a 24' plow and 22' broom. The FAA specifications allow an airport of our size to have four displacement plows and four sweepers. This unit will replace the 2012 model in our fleet as part of our ongoing fleet replacement plan developed during our strategic planning effort.

As part of the federal procurement process, we are required to perform a fee analysis on professional services. Our review found that the total professional service hours for this project are 19% lower than the average of comparable projects over the previous 10 years, while the proposed fee is 7% higher. This increase is attributable to rising hourly rates and an increase in the federally audited overhead rate from 224.89% to 246.17%. Based on this analysis, the proposed fee is deemed reasonable and has been agreed upon by the FAA and State of ND.

**I recommend approval of the Burns & McDonnell professional services agreement to procure a multi-function snow removal machine in the amount, hourly not to exceed, \$31,450.00.**

### **Attachments:**

A18J1: Sun Country Proposal

A18J2: CBP Cost Sign-Off

A18J3: Burns & McDonnell Task Order 11